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GOVERNANCE ARCHITECTURE
FOR A GLOBAL EUROPE

Strategising beyond CSDP - External Action Plus and Security

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Executive Summary

The European Union's (EU) portfolio of external activities has expanded considerably to include a variety of policy areas. The linkage and use of these policy areas – collectively known as 'external action plus policies' – can contribute to the EU's effectiveness as a global actor by equipping it with an array of tools necessary to address the challenges of today's uncertain world. This paper develops an analytical framework to explore the internal and external factors that facilitate or obstruct linkages among external action plus policies and how these linkages contribute to EU external action. To clarify the analysis, the paper treats three policy areas – trade, development and humanitarian aid – as separate cases, which include illustrative examples drawn from EU relations with Ukraine, the African, Caribbean and Pacific countries and the Sahel Region. The first policy (trade), an area of exclusive legal competence, establishes a baseline from which to add comparative insights from the other two policy areas of shared legal competence (development and humanitarian aid). The results of the empirical work show considerable variation across the three policy areas and the relevant factors that matter for issue linkage. While external factors do matter, their precise effect on Member States is not always equal and is often conditioned by internal factors including, but not limited to, those associated with vertical and horizontal coherence. Overall, the contribution reveals important issue linkage dynamics that shape policymaking and serves as a platform for future research and policy recommendations on external action plus.

1 Introduction¹

Within the span of only a few decades, the European Union's (EU) portfolio of external activities has expanded considerably. The emergence of external action in a diverse range of policy areas has led to the characterisation of 'EU external action plus,' which includes the Common Foreign and Security Policy (CFSP) and Common Security and Defence Policy (CSDP); the established external policies of trade, development and humanitarian aid; as well as the external dimensions of traditionally internal policies, such as competition, health and environment. The inclusion of these traditionally internal policies as part of external action, in particular, helps to explain the addition of the 'plus' and reflects the insight that 'the Union's engagement with the rest of the world goes beyond areas in the Treaties defining EU external relations' (Szép and Wessel, 2022, p. 4).

The complementarity of different policies is foremost reflected in the legal framework of the EU, even though external action continues to be fragmented over two treaties (Schütze 2012; Szép and Wessel, 2022). Despite this 'bipolarity' of external action, different policy areas have become linked through, *inter alia*, shared objectives, instruments and tools, all of which support EU external engagement goals (Raube et al., 2015; Wessel, 2018; Szép and Wessel, 2022). In this context, the emergence and use of 'external action plus' can contribute to the EU as a global actor by equipping it with the array of tools necessary to address the challenges of today's uncertain world. It also provides the EU with the potential to act more decisively and

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coherently in its external environment and to establish a stronger and more unified voice in the world (Müller et al., 2021; Sus et al., 2021).

Indeed, the EU has already highlighted the importance of policy linkages in external action through, for example, its Comprehensive Approach – which set steps to combine instruments, tools and policies of EU external action to respond to conflict and crises (Joint Communication, 2013) – as well as the more recent Integrated Approach (EEAS, 2021).² In addition to previous security strategies, the EU's recent 2022 Strategic Compass also suggests a role for policy linkages in external action. Given the importance of these developments, targeted investigation is needed on the ways in which external action plus policies are linked and contribute to EU external engagement.

The linkages between and among different external action plus policies are clearly evinced in the three cases of trade, development and humanitarian aid. For example, measures in trade policy often support security-related goals and objectives.³ Similarly, internal export control measures have clear security-related implications for the activities of others – including governments, firms and non-governmental actors – outside the EU seeking to import or (legally or otherwise) obtain European dual-use goods. The linkage between development policy and security policy can be observed through security endeavours, including civilian and military missions, that adopt development resources for capacity-building and other security-related goals (Raube et al., 2015; Joint Communication, 2015; Broberg, 2018). Although humanitarian aid is closely linked to development cooperation, it is designed to be independent and targeted at the provision of humanitarian assistance. Nevertheless, the delivery of aid is often supported by security and defence operations for humanitarian interventions and emergencies (Cañamares, 2018; Szép and Wessel, 2022). Therefore, analysing these three external action plus policy areas can provide important insights into the factors that condition linkages and reveal different ways in which such linkages may increase the EU's effectiveness in external action.

Policy linkages in external action may be conditioned by various internal factors, such as those related to vertical and horizontal coherence as well as the legal and governance structures of EU external action. Factors in the EU's external environment, such as bilateral relationships, international standards and crises, may also affect the linkages. This Working Paper, therefore, explores **the internal and external factors that facilitate or obstruct linkages among external action plus policies and how these linkages contribute to EU external action**. To clarify the analysis, the paper treats three policy areas – trade, development and humanitarian aid – as separate cases. The first policy (trade), an area of exclusive legal competence, is explored in greater detail to establish a baseline from which to add comparative insights from the other two policy areas of shared legal competence. The analysis for each policy area supports an exploratory exercise to begin capturing and understanding those factors related to linkages that may then inform subsequent policy recommendations. Ultimately, the paper examines the internal and external factors to reveal ways in which the EU can move towards 'more joined-up external action' that is effective, coherent and sustainable (EEAS, 2016; Sus et al., 2021).

² In addition to being multi-dimensional – ie, use of all available policies and instruments – the EU's Integrated Approach is intended to be multi-phased, multi-level and multi-lateral (EEAS, 2021, pp. 28-29).

³ See, for example, Szép and Wessel (2022); Meissner and Portela (2022); Orbie, Alcazar and Sioen (2022); Borchert et al. (2021); Hoekman (2021); Ott and Van der Loo (2018); Raube et al. (2015); and Vedder (2013).



The Working Paper is structured as follows. The next section outlines the exploratory analytical framework that guides the research. It posits internal and external factors – derived from the concept of actorship – which may condition relationships and linkages between and among external action plus policies. Section 3 of the Working Paper applies the framework to trade policy, in particular trade agreements and autonomous measures. The section includes an in depth illustrative example of the EU's Deep and Comprehensive Free Trade Agreement with Ukraine. Section 4 turns to the case of development policy, where the framework guides an analysis of various factors, particularly those related to vertical coherence. The section provides more detailed analyses of the illustrative examples of the African, Caribbean and Pacific countries and the Sahel region. Section 5 then investigates humanitarian aid policy by evaluating internal and external factors that condition linkages and exploring an in depth illustrative example of Ukraine. Section 6 concludes with a summary of the findings of the analyses and case studies from the three policy areas and discusses the general insights for EU external action.

2 Research Framework – Internal and External Factors

While some external action plus policy areas – such as trade and development policy – have had an external dimension since their origins, others have developed into external action more recently. According to Schunz and Damro (2020), the emergence of EU external action in traditionally internal policies involves incremental change. To understand and explain such change, multiple explanatory factors – related to the internal and external context – can be identified, following from the concept of actorship (Bretherton and Vogler, 2006, 2013; Drieskens, 2017).⁴ The notion of actorship can also help us identify the dynamics at play more broadly in external action and the conditions under which a variety of policy areas may be linked to external action.

Bretherton and Vogler identify three components of EU actorship: 'opportunity', which 'denotes factors in the external environment of ideas and events' and 'signifies the structural context of action' (Bretherton and Vogler, 2006, p. 24); 'presence', depicting the EU's capacity 'by virtue of its existence, to exert influence beyond its borders' (ibid); and 'capability', which refers to 'the internal context of EU external action or inaction' (ibid, p. 29) and implies 'those aspects of the EU policy processes that, by constraining or enabling action, govern the Union's ability to capitalise on presence or respond to opportunity' (Bretherton and Vogler, 2013, p. 381). Each of the three interrelated components of actorship helps identify a variety of internal factors as well as factors in the EU's external environment that contribute to EU external action or inaction (Bretherton and Vogler, 2006). Using the concept of actorship, therefore, can help to identify internal and external factors that may facilitate or obstruct linkages among different external action plus policy areas.

⁴ This paper draws from the work of Schunz and Damro (2020) and Damro et al. (2018) to elaborate the concept of actorship. While these earlier works were interested in exploring the factors that account for the emergence of external dimensions in originally internal policy areas, this Working Paper adjusts the focus to explore factors that account for linkages across external action plus policy areas.



Evaluating the component of **opportunity** requires an understanding of the international arrangement of ideas/norms and interests on a given issue, and of specific events, especially crises (Schunz et al., 2018, p. 17). For example, an arrangement of internationally accepted ideas may support the need to address – with tools from various policy areas – an issue like poverty alleviation, or an international arrangement of interests may lead states to support trade liberalisation while employing trade measures to pursue non-trade objectives. Such internationally accepted ideas may be seen in multilateral standards and agreements, while interests may emerge more clearly in contexts of security threats or competition for material benefit. Both may create an international environment that encourages actors to use a wide range of policy tools to satisfy collective ideas and material interests. Similarly, in geopolitical times, the EU faces a wide range of ‘events’ that can condition the ways and means through which it pursues external action. For example, military interventions, climate change, the rise of China, pandemics and technological disruption may present challenges to the international order and the EU’s external action. Therefore, using opportunity, this paper looks for evidence of external factors and challenges that provide ‘an opportunity for the EU to adopt new roles and responsibilities’ (Bretherton and Vogler, 2006, p. 27; Drieskens, 2017). For the EU, such new roles and responsibilities can be reflected in efforts to link the various external action plus policies.

The EU’s **presence**, which can help it react to external factors and challenges, represents what the EU is and what it stands for in a specific policy area. What the EU ‘is’ derives from its being, not necessarily its intentional actions. As Bretherton and Vogler argue, ‘presence does not denote purposive external action, rather it is a consequence of being’ (2006, p. 26), which may include aspects of its material existence (e.g., historical experience, resources, geographical limits). What the EU stands for may be reflected in the extent of European integration that exists in a given policy area (Allen and Smith, 1990). This can be evaluated by assessing the material and ideational basis of the EU’s legal and policy *acquis* (Schunz et al., 2018, p. 18) as well as the ways in which different policy areas are already linked. Presence may also include how the EU is perceived by others when linking policies.⁵ For example, are the EU’s internal rules clear and consistent across different policy areas or are they contradictory? Guided by the component of presence, relevant factors that facilitate or obstruct policy linkages without intentional action may include the existence of the Single European Market, the EU’s history as a model of regional integration or its position as a large aid donor. Presence therefore recognises the importance of factors that affect the EU’s image or reputation and thus the perceptions of others as well as the potential for policy linkages to shape unintentionally the behaviour of third parties (Allen and Smith, 1990; Jupille and Caporaso, 1998; Bretherton and Vogler, 2013; Niemann and Bretherton, 2013; Freire et al., 2022).

Finally, in order for the EU to exploit external opportunity and its presence, it needs capability (Niemann and Bretherton, 2013; Damro et al., 2018). The EU’s **capability** not only derives from its legal basis in the Treaties and its legal competences, but also from the policy objectives, strategies, procedures (decision-making, external representation) and instruments (agreements, regulations, etc.) that it has at its disposal (Schunz and Damro, 2020). Intentionally utilising and linking these provides the EU with the ability to implement policies and pursue changes in the external environment that may be seen as effective and legitimate by other actors (Bretherton and Vogler, 2006). Hence, this paper looks for internal factors that

⁵ On the potential importance of external perceptions for EU foreign policy effectiveness, see Chaban and Elgstrom (2021).



give the EU the capacity for autonomous action and may impact upon the EU's ability to engage externally, such as the linkage and use of its various external action plus policy instruments.

When assessing capabilities in the context of issue linkage, it is also important to highlight the potentially central role played by the internal factor of coherence. According to Bretherton and Vogler (2006), the EU must have internal coherence to be an effective global actor, and coherence is an important determinant of capability. Indeed, Article 21 (3) TEU 'imposes a binding obligation of coherence in EU external relations, illustrating that coherence is... a tangible legal principle of EU primary law' (Wessel, 2018, p. 345). The EU's coherence across policy areas in external action can also be affected by variation in legal competence. For example, the 'bipolarity' of EU external action can serve as a legal/institutional obstacle to EU external action since its competences are divided across the two treaties (TEU and TFEU). Such factors related to legal competence can pose challenges to the EU's coherence and effectiveness, 'hamper[ing] the attainment of the more holistic external ambitions of the Union' (Szépl and Wessel, 2022, p. 42).

In accordance with the shared ENGAGE definition of coherence, this paper understands and applies the concept in two distinct ways:

- Vertical coherence between the EU and the Member States: The EU's capacity to work together with Member States on the pursuit of external objectives and to coordinate between the foreign policies of the Member States and the foreign policy of the EU.
- Horizontal coherence between different policies of the Union, their objectives, and their implementation: the EU's capacity to coordinate and manage policies and institutions that are involved in the pursuit of Union's external objectives (Sus et al., 2021, p. 13).⁶

Being attentive to the role of vertical coherence as a source of capability helps to ensure the analysis in this paper takes seriously the role of EU Member States and the extent to which they may facilitate or obstruct linkages across different policies. The Member States' own strategic thinking towards external challenges (i.e., opportunity) may hinder EU external action since they may not share the same preferences and priorities in foreign policy due to, for example, their individual geopolitical positions, domestic politics or historical considerations (i.e., presence).

Horizontal coherence is fundamental to the analysis in this paper because it relates to the core challenge for external action plus policies – the extent to which the EU can coordinate *different policies* to increase the likelihood of achieving objectives. Horizontal coherence, therefore, speaks directly to the notion of issue linkage. Such substantive issue linkages occur when 'issues exhibit some intellectual coherence' and actors are able to appeal to the knowledge and perceptions of other actors about the 'logical connection between or among issues' (Aggarwal, 1998, p. 16). Betts (2010) suggests that substantive linkage offers insights into how real or perceived connections between issues and issue-areas influence the prospects for international cooperation. In the case of ambiguous causal claims about relationships between issue-areas, actors may attempt to use persuasion and bargaining to change actors' perceptions about the causal significance of such relationships as well as their interests in relation to these issue-areas. As a result, actors will then be able to 'justify extending their role and mandate' in a given issue area and 'yield political legitimation' for particular actions (Betts, 2010, p. 92; Betts and Pilath, 2017). It is also worth bearing in mind that, while issue linkages

⁶ Similarly, Hoekman argues that 'EU success in promoting its values and standards depends on its ability to act coherently, both across member states and across policy areas' (2021, p. 12).



are often seen as holding promise for increasing the effectiveness of EU external action, they may not always contribute to the EU's horizontal coherence and ability to achieve objectives in external action.⁷

Understanding external relations as including a wide array of external action plus policy areas creates considerable possibilities for issue linkage. In short, the EU has a large and diverse toolbox of policies that it can deploy in its external action. While the factors identified in this section through the concept of actorness are not exhaustive, they do offer useful indications of the types of factors that we may expect to condition such linkages among external action plus policy areas. Guided by this analytical framework, the policy areas of trade, development and humanitarian aid provide useful starting points for this investigation of issue linkage. The next section undertakes an analysis of trade policy in order to provide a baseline from which to add comparative insights from the other two policy areas.

3 Trade

The European Union's external trade policy – or Common Commercial Policy – has long been a component of its external relations. Starting from the Treaties of Rome, with a focus on trade in goods, the EU's trade policy has expanded considerably over the past decades (Meunier and Nicolaidis, 1999; Niemann, 2011; Young and Peterson, 2014; Young, 2017; Leblond and Viju-Miljusevic, 2019). Trade policy (Article 207) now covers not only trade in goods but also trade in services, commercial aspects of intellectual property, public procurement and foreign direct investment.⁸ The EU's trade policy also moves well beyond the multilateral trading arrangements of the World Trade Organisation (WTO) to include a wide array of bilateral and inter-regional trade agreements as well as a growing number of autonomous trade measures (Wouters et al., 2015). Broadly speaking, the EU's trade policy now includes an extensive set of both trade-restrictive measures and trade facilitation measures (Ott and Van der Loo, 2018), and its activity can be understood as a combination of three 'venues': unilateral policies, bilateral (or inter-regional) agreements and multilateral agreements (Keukeleire and Delreux, 2022, p. 217).⁹ In material terms, this activity matters because the EU is the world's largest trading bloc, accounting for approximately 15% of world trade in goods (similar to USA and China) and around one-fifth of world trade in services (largest in the world) (Keukeleire and Delreux, 2022, p. 215). Such figures help to shape the EU's identity and image (i.e., presence) as a large and lucrative trading market that is both open to trade and dependent upon trade.

As the EU's trade policy developed over the years, the number and roles of EU institutional actors also changed in the policy-making process.¹⁰ Now, despite the policy area being exclusive competence, many actors with varying roles are involved in the negotiation and implementation of trade agreements and the considerable (and growing) range of trade measures (Szép and Wessel, 2022, p. 22-23). This growth in the number of actors, agreements

⁷ For example, as a factor increasing the likelihood of failure in negotiations, issue linkages increase the number of areas where disagreement can occur. Such 'destructive' linkages may follow from issue pairings 'that are inconsistent with regime principles,' (Keohane, 1984, p.92) when they are a result of blackmailing or when too much is demanded from the parties involved (Sebenius, 1983).

⁸ For more on the EU's shift to the 'new trade politics', see Young and Peterson (2014), Meunier and Nicolaidis (2019).

⁹ On the various international venues and actors in trade policy, see De Man et al. (2022).

¹⁰ On the EU's decision-making procedures and institutions in trade policy, see Szép and Wessel (2022, pp. 17-22) and Gstöhl and De Bièvre (2018).



and measures has shifted trade 'from a policy area protected by bureaucratic processes governed by the Commission to an area which is increasingly politicised and which is under the scrutiny of' other actors, including the Member States and European Parliament (Szép and Wessel, 2022, p. 22).

Trade Objectives and Linkages

Trade objectives can vary and may be found, for example, in the Treaties, where trade policy is now guided by the broad principles and values laid down in Articles 3(5) and 21(1) TEU (Szép and Wessel, 2022). More specific trade objectives may be found in EU strategic documents, such as the 2021 Trade Policy Review, which opens by stating that 'Trade is one of the EU's most powerful tools' (European Commission, 2021a, p. 1) and notes the EU's core medium-term objectives as 1) supporting the recovery and fundamental transformation of the EU economy in line with its green and digital objectives, 2) shaping global rules for a more sustainable and fairer globalisation, and 3) increasing the EU's capacity to pursue its interests and enforce its rights, including autonomously where needed (Vedder, 2013; Hoekman and Wilkinson, 2021; Pelkmans, 2021).¹¹ It is in the second and third objectives that we may most readily see the opportunity to link trade policy with other external action plus policies.

Reflecting a fundamental basis for the trade-security linkage, the Trade Policy Review is guided by the EU's concept of 'open strategic autonomy', which 'emphasises the EU's ability to make its own choices and shape the world around it through leadership and engagement, reflecting its strategic interests and values' (European Commission 2021a, 4). Conditioning the EU's previous and general concept of 'strategic autonomy', this new trade-specific concept reflects 'geoeconomics' and is designed to address the potential tension between openness and 'protectionist-sounding' autonomy (Gehrke, 2022, p. 68 and 62). Despite a potential preference among some in DG Trade, Gehrke argues that the EU's trade policy has witnessed a 'tilt' toward autonomy (2022, p. 67).

The EU's trade policy is linked to non-trade issues (including social, environmental and security), in both political and legal terms (Vedder, 2013; Ott and Van der Loo, 2018, p. 233; Borchert et al., 2021). For example, the EU's 2016 Global Strategy provides insights on potential links between trade and CFSP/CSDP through 1) an expansion of the 2013 Comprehensive Approach to external conflicts and crises, 2) an emphasises on 'a coherent use of all policies at the EU's disposal' (EEAS, 2016, p. 9) and 3) a call for 'more joined up external action', including economic diplomacy (ibid, p. 49). The Strategy also articulates 'engagement' as one of the principles guiding external action, with a call for the EU 'to participate fully in the global marketplace and co-shape the rules that govern it' (ibid, p. 17). Likewise, the Strategy focuses on neighbours, noting 'We will support these countries in implementing association agreements, including Deep and Comprehensive Free Trade Areas (DCFTAs)' (ibid, p. 25). Specific to the link between trade and foreign policy, the Global Strategy states: 'Restrictive measures, coupled with diplomacy, are key tools to bring about peaceful change. They can play a pivotal role in deterrence, conflict prevention and resolution... To fight the criminal war economy, the EU must also modernise its policy on export control for dual-use goods, and fight the illegal trafficking of cultural goods and natural resources' (ibid, p. 32).

Internal and External Factors

¹¹ For a discussion of different kinds of EU trade objectives, see Borchert et al. (2021). For excellent insights on the strategic potential of EU external trade policy, see the Horizon 2020 research project 'Realising Europe's Soft Power in External Cooperation and Trade' ([RESPECT](#)).



The EU has considerable presence as a trade actor, based on its large, lucrative and relatively open market. As an exclusive competence, trade policy would, at first glance, also appear to be a fairly tightly coordinated policy area in which the EU speaks and acts with a single, coherent voice based on collective interests and values. But given the various locations of trade objectives and the links to objectives in other areas of EU external action, there is potential for incoherence and even conflicting interests and values (for example, see Ott and Van der Loo, 2018, pp. 233-35; Perišin and Koplewicz, 2021; Borchert et al., 2021; Pelkmans, 2021; Hoekman, 2021; Ferrari et al., 2021). So, despite exclusive competence and even if the EU shares collective objectives, interests and values, the linkage between trade and other external action plus policies can become problematic.

Coherence – both horizontal and vertical – is crucially important in linkages between trade and non-trade issues. When linking trade and other external action plus policies, challenges to EU coherence can be found in inter-institutional and intra-Commission relations, especially where there is potential for conflicting objectives. For example, the Directorate-General for Trade may be concerned that linking trade with foreign policy or other objectives will undermine the EU's ability to negotiate access to overseas markets (Bossuyt et al., 2020, p. 50). The trade literature identifies various other internal factors – which are related to states and societal actors as well as the various EU actors that may be thought of as principals and agents (Gstöhl and De Bièvre, 2018) – that can increase politicisation and condition national elite and public acceptability (Michaels and Kissack, 2021).¹² This potential for politicisation in trade policy can be seen as increasingly including pressure from political parties, media and public opinion (Leblond and Viju-Miljusevic, 2019; Meunier and Nicolaïdis, 2019; Fiorini et al., 2019; Yildirim et al., 2021; Pelkmans, 2021).¹³ Such actors in turn can prompt opposition from Member States in the negotiation of trade agreements. As Gheyle states, 'Crucially, with politicization a more frequent and likely occurrence, the prospect of a "politicized decision trap" emerges: domestic politicization leading to de facto veto positions, as national governments who are forced to respond to domestic concerns take up a veto position, that cannot be easily accommodated in the spotlight' (2022, p. 2).¹⁴ Thus, politicisation in trade policy can obstruct efforts to link to other policy areas, especially when domestic concerns force Member States into veto positions that reduce coherence. While conflicting preferences across EU Member States can play an important role (Smith, 2001; McKibben, 2010; Meunier and Nicolaïdis, 2019; Jakob and Teebken, 2020; Perišin and Koplewicz, 2021), one way in which these obstacles can be overcome is by an entrepreneurial European Commission, such as the case of 'institutional spillover' when incorporating foreign direct investment into trade policy (Meunier, 2017).

Another important internal factor that may obstruct the linkage between trade and other external action plus policies is the legal basis of the policies (Wessel, 2018; Perišin and Koplewicz, 2021). The legal competence generally differs for these other policy areas, and 'Despite several Treaty amendments, the EU's external actions are still fragmented and competences are scattered throughout the two Treaties' (Szép and Wessel, 2022, p. 4). In short, 'the CFSP (along with the CSDP) continue(s) to be placed in the TEU, whereas all other external actions are defined by the TFEU, including trade...' (Szép and Wessel, 2022, p. 42).

¹² On the role of domestic factors and domestic 'interest group pressure', see De Bièvre and Poletti (2020) and Dür and De Bièvre (2007).

¹³ On news media and public perceptions of EU security and defense, see Saz-Carranza et al. (2022).

¹⁴ In this context, the potential for deadlock in the EU can be overcome in trade policy when the EU institutions and Member States use a variety of anticipating, engaging and defusing mechanisms to circumvent or accommodate a (potential) veto (Gheyle 2022).



Such fragmentation and inconsistency can lead to legal disputes and undermine 'efficient policy making... with internal debates (between the Union and its Member States and/or between the Union institutions) which may delay much needed Union actions to tackle external crises' (Szép and Wessel, 2022, p. 42). Overall, then, these various internal factors shape the EU's presence (legal and policy *acquis*, which may be deemed legitimate by other actors) and its capability (legal competence, objectives, policy procedures, instruments and strategies) in the area of trade policy, which may, in turn, condition the likelihood of linking to other external action plus policy areas.

Among the external factors that matter for linking trade to other policies, the EU must consider the legal compatibility of linking non-economic policies to its various multilateral trade commitments and agreed rules (Smith, 2001; Leblond and Viju-Miljusevic, 2019; Hoekman and Wilkinson, 2021). For example, as Ott and Van der Loo argue, 'The more the EU works with a broader brush and includes CFSP aims in non-economic objectives to be achieved in trade relations, the more difficult it will be to act in conformity with international (trade) rules and to have a direct impact with its action on third countries' (2018, p. 253).

EU trade policy is also being developed in a context characterized by other pressing external factors. For example, structural changes – such as the rise of China¹⁵ – in the international political and economic system can underpin changes in the EU's efforts to link trade policy with other external action plus policies (Meunier and Nicolaïdis, 2019; Leblond and Viju-Miljusevic, 2019; Müller et al., 2021; Müller et al., 2022). Indeed, the EU notes such external pressures when it states in its 2021 Trade Policy Review that 'Global uncertainty is on the rise fuelled by political and geo-economic tensions. Instead of international cooperation and multilateral governance, there is growing unilateralism, with the consequent disruption or bypassing of multilateral institutions' (European Commission, 2021a, p. 1). The impact on trade policy and the likelihood of a security linkage is clear: 'The existing international economic governance framework is being undermined. If this continues, it will impact economic relations and trade, and also the security and stability that we take as normal. For these reasons support for effective rules-based multilateralism is a key geopolitical EU interest' (European Commission, 2021, p. 8).¹⁶

Overall, such external factors determine the international environment or 'opportunity' facing the EU *and* its Member States by shaping the international arrangement of ideas and interests as well as the likelihood of events and crises (Schunz et al., 2018, p. 17). While these various external factors influence EU trade policy, they may equally condition the likelihood of linking trade – via either autonomous measures or trade agreements – to other policy areas.

Autonomous Measures

The EU has a wide variety of trade instruments that it increasingly uses to pursue non-trade objectives. For example, autonomous trade measures (ATMs) are being linked to CFSP objectives (Szép and Wessel, 2022). Likewise, as Ott and Van der Loo argue, 'the EU is increasingly relying on ATMs to offer third countries unilateral market access. Over the past decade, the EU has unilaterally offered additional preferential market access to several countries through ATMs, mainly as support measures in emergency or disaster situations... these ATMs also have a strong 'political dimension' as they serve broader foreign policy goals

¹⁵ On the rise of China as an important external factor related to trade and economic competition, see Gehrke (2022).

¹⁶ See also Meunier and Conceicao-Heldt (2014) on the potential importance of the international context, including the bargaining configuration and the policy arena.



(e.g. support measures in emergency or disaster situations), or were influenced by the EU's strategic interests' (2018, p. 248).¹⁷ The EU's growing number of ATMs are important tools for trade protection and enforcement, which fall under the remit of the EU's Chief Trade Enforcement Officer, a position that was first appointed in July 2020.¹⁸

While autonomous measures depend upon (and arguably contribute to) the EU's presence and capabilities, they are often developed in a context of changing external factors (i.e., opportunity), in particular external threats. The EU's recent Export Control Regulation for dual-use goods (September 2021) presents a clear example of the linkage between trade and security/defense policy in response to the changing external environment facing the EU. These rules are designed to strengthen the EU's 'ability to respond to new security risks and emerging technologies' by tightening 'controls on trade in dual-use items – civilian goods and technologies with possible military or security use – while enhancing the EU's capacity to protect human rights and support secure supply chains for strategic items' (European Commission, 2021b). The rules are intended to create a new system through which the EU can use trade to control the export of items that often underpin defense capabilities, thus establishing the trade-security linkage (particularly via the CSDP). The EU's 2021 Trade Policy Review highlights the importance of this regulation and its link to other external action plus policy areas, stating that 'The Commission will work with Member States' authorities to ensure the effective implementation of the modernised Export Control Regulation on sensitive dual-use goods and technologies to support secured value chains, promote international security, protect human rights, and ensure a level-playing field for EU exporters' (European Commission, 2021a, p. 20).¹⁹ The effectiveness of such an export regime can also be maximized if it is coordinated and enforced through collaboration with other potential exporters of similar dual-use goods (Vedder, 2013). For example, the first EU-US Trade and Technology Council meeting (29 September 2021), '...agreed to coordinate their efforts to screen investments and control exports on technologies with commercial and military technologies to prevent adversarial governments from using them in ways that undermine national security and human rights' (Overly, 2021).

Similarly, the EU's FDI Screening Regulation makes the link between trade and security. As the EU states: 'In the security field, under the FDI Screening Regulation, the Commission restates its call to all Member States to set up and enforce a fully fledged FDI screening mechanism to address cases where the acquisition or control of a particular business, infrastructure or technology would create a risk to security or public order in the EU. The Commission will continue implementing the cooperation mechanism with Member States' authorities to protect security and public order from risky foreign direct investments and consider enhancing the cooperation mechanism established by the FDI Screening Regulation' (European Commission, 2021a, p. 20).²⁰ Under this EU framework for investment screening, in April 2022, the Commission 'published guidance for EU Member States on assessing and preventing threats to EU security and public order from Russian and Belarusian investments' (DG Trade, 2022b).

¹⁷ Examples of such trade-security linkages and (geo-)political considerations also arise in the Stabilisation and Association Process in the Western Balkans and the Eastern Partnership, including Ukraine (Ott and Van der Loo, 2018, pp. 248-250).

¹⁸ On the EU Chief Trade Enforcement Officer, see DG Trade (2022a).

¹⁹ On the dual-use, see also Gehrke (2022, pp. 73-74).

²⁰ On the screening regulation, see also Gehrke (2022, p. 73).



The EU's recent proposal for a new anti-coercion instrument provides another example of the link between trade and CFSP/CSDP. The new legal instrument would provide the EU with means to address economic intimidation, ranging from 'countries using explicit coercion and trade defence tools against the EU, to selective border or food safety checks on goods from a given EU country, to boycotts of goods of certain origin' (European Commission, 2021c, p. 1; Hackenbroich et al., 2022). The justification for this new ATM is clearly related to external factors as the European Commission states 'This legal instrument is in response to the EU and its Member States becoming the target of deliberate economic pressure in recent years. It strengthens the EU's toolbox and will allow the EU to better defend itself on the global stage' (European Commission, 2021c).

Sanctions policy provides perhaps the clearest link between trade policy and other external action policies, particularly CFSP/CSDP. Indeed, 'since Maastricht, Treaties have expressly conferred competence on the EU to adopt sanctions with the aim to advance the EU's foreign and security policy objectives' (Szép and Wessel, 2022, p. 23).²¹ However, the challenges of coherence and internal legal factors mean that the linkage is not always without obstruction. Regarding the legal factors, 'the legal differentiation of trade and foreign policy – otherwise areas extremely hard to disconnect from each other – lead to legal uncertainties and practical difficulties' (ibid). While sanctions policy is not trade policy per se, economic and financial sanctions certainly have implications for trade and trade objectives. The linkage between trade policy and CFSP/CSDP through sanctions is analysed in more detail in other ENGAGE working papers and work packages.²²

Trade Agreements

In addition to its active engagement with the WTO and multilateral trading arrangements (Hoekman, 2021; Hoekman and Wilkinson, 2021), the EU has a vast web of bilateral trade agreements and a variety of other international agreements with varying degrees of trade provisions, such as Deep and Comprehensive Free Trade Agreements (DCFTA), Investments Agreements, Enhanced Partnership and Cooperation Agreements, and Partnership and Cooperation Agreements with preferential elements (DG Trade, 2022c).²³ Unlike autonomous trade measures, these trade agreements are typically designed to set a framework for bilateral relations within which trade and non-trade objectives can be pursued (bilaterally) and, perhaps, achieved over the medium- to long-term (Borchert et al., 2021).

The EU makes clear in its 2021 Trade Policy Review this need for trade agreements as a central component of its trade policy: 'In order to help fulfil its geopolitical ambitions globally, the EU will need to diversify its relations and build alliances with like-minded partners, including through its broad network of trade agreements. This network is essential with each and every current and future agreement forging our relationships with partners. The EU's free trade agreements (FTAs) are platforms for enhanced cooperation pursuing our values and interests' (European Commission, 2021a, p. 9).

The EU's array of bilateral and inter-regional trade agreements are used to promote a variety of non-trade objectives, which creates an opportunity for linkages between trade and other

²¹ See also Hoekman (2021).

²² See, for example, more on sanctions in Szép and Wessel (2021), Cardwell (2015).

²³ For related discussion of the link between CFSP and GSP+, see Ott and Van der Loo (2018, pp. 244-248).



external action plus policies. For example, at the inter-regional level, the EU has long had development relations with the African, Caribbean and Pacific (ACP) countries. The formal trading relationships with these countries are at varying stages and known – under the Cotonou Agreement and successor Post-Cotonou Agreement - as Economic Partnership Agreements (EPA), which ‘are firmly anchored in the objectives of sustainable development, human rights and development cooperation’ (DG Trade, 2022d).

At the bilateral level, the EU’s trade agreements increasingly include non-trade issues and objectives, which, for example, aim to protect the environment, consumers, workers and the public at large via human rights and democratic principles (Van der Loo, 2016; Szép and Wessel, 2022, p. 22). Such political, non-trade objectives ‘related to human rights and security are more prevalent in association...agreements’ according to Borchert et al., and are therefore helpful in promoting EU values in countries with which the EU seeks political cooperation (2021, p. 624). While these provisions often present a significant and highly challenging trade agenda for the EU, given the requirements of primary legislation (Articles 3 and 21 TEU), the EU nevertheless focuses on including these non-trade objectives. Because of the contentious nature of non-trade objectives, a variety of internal factors – including actors and institutional decision-making rules and capabilities – may influence the EU’s ability to link them to trade. The institutional features of the EU also help to clarify the avenues through which interest groups and civil society actors may influence linkages in such sensitive matters.

In general, the framework for bilateral relations established via a trade agreement may also reflect external challenges (i.e., opportunity) and contribute to the security objective of stability in and with third parties. The EU’s 2021 Trade Policy Review makes clear this practical link between trade and security when it highlights the need for stability: ‘Our most significant relationships are with those who are geographically closest to us. Stability and prosperity in the EU’s neighbouring countries and Africa are in the EU’s political and economic interest’ (European Commission, 2021a, p. 17). This emphasis on the geographically neighbouring countries highlights an important dimension of the link between trade objectives and foreign policy objectives. For example, while the EU-Ukraine Association Agreement (AA) includes a Deep and Comprehensive Free Trade Area, it also includes a CFSP dimension in Title II on ‘Political Dialogue and Reform, Political Association, Cooperation and Convergence in the Field of Foreign and Security Policy’. This paper now turns to a more in depth analysis of the EU-Ukraine AA as an illustrative example of the internal and external factors that can play a role in the linkage between trade and other external action plus policies.

EU-Ukraine Association Agreement: Linking Trade and Non-Trade Issues

From the outset of negotiations, the EU-Ukraine AA had been characterised by economic and political cooperation. It ‘offered different economic and political incentives in exchange for progressive implementation of bilateral commitments,’ thereby preparing Ukraine for the AA which was finalised and signed in 2014 (Van der Loo, 2016; Natorski, 2017, p. 180). As an ‘integration’ agreement, the AA entails a political dimension on political association and dialogue and an economic dimension through a Deep and Comprehensive Free Trade Area (DCFTA) which envisages Ukraine’s gradual integration into the EU Internal Market and makes up 90% of the agreement. It includes innovative features, such as ‘unprecedented forms of “integration”...in the area of services/establishment and public procurement’ (Van der Loo, 2016, p. 311). This makes the AA the ‘most ambitious agreement the EU has ever offered to a non-Member State,’ particularly one without any immediate EU membership prospective (Smyrnova, 2021).



One can observe the link between trade and non-trade issues at the first instance from the common values and market access conditionalities embedded in the agreement (Van der Loo, 2016). Firstly, the AA states that ‘the political association and economic integration of Ukraine with the European Union will depend on progress in the implementation of this Agreement as well as Ukraine’s track record in ensuring respect for common values, and progress in achieving convergence with the EU in political, economic and legal areas’ (Association Agreement, 2014, p. 4). These essential elements include *inter alia* democratic principles and fundamental freedoms, and ‘countering the proliferation of weapons of mass destructions, related materials and their means of delivery’ (ibid, p. 6). Any violation of these may lead to ‘suspension of specific trade benefits, granted to Ukraine under the DCFTA’ (Van der Loo, 2016, p. 209). Secondly, the EU-Ukraine AA also makes market access conditional upon the legislative approximation of Ukraine to the EU *acquis* (Łazowski, 2021). Such agreements oblige partners ‘to apply, implement or incorporate in [their] domestic legal order a predetermined selection of EU *acquis*’ and, again, failure to do so may lead to suspension of the DCFTA (Van der Loo, 2016, p. 9). These are thus legally binding instruments ensuring that Ukraine meets the necessary economic, political, legal and structural reforms. Both forms of conditionality therefore have non-trade implications that could promote the objectives of EU external action plus (Ott and Van der Loo, 2016).

The inclusion of Title II on ‘Political Dialogue and Reform, Political Association, Cooperation and Convergence in the Field of Foreign and Security Policy’ provides perhaps the most explicit link to non-trade issues within the AA. Articles 4 to 13 under Title II all refer to foreign- and security policy-related provisions which establish political dialogue between the Parties and envisage cooperation, even convergence, on CFSP and CSDP issues. For example, under Article 7 the parties ‘shall address in particular issues of conflict prevention and crisis management, regional stability, disarmament, non-proliferation, arms control and arms export control as well as enhanced mutually-beneficial dialogue in the field of space...and shall aim at increasing policy convergence and effectiveness, and promoting joint policy planning’ (Association Agreement, 2014, p. 8). The AA also included specific articles on setting up political fora and envisaging ‘regular meetings at Political Directors, Political and Security Committee and expert level’ (ibid, p. 7). Under Title II, Article 4, the aims of this political dialogue include increasing ‘political and security policy convergence and effectiveness’ as well as deepening ‘cooperation between the Parties in the field of security and defence’ (ibid, p. 7). The inclusion of Title II directly links trade issues and other EU external action policies within the AA/DCFTA and serves as a useful tool for achieving EU external action goals.

Internal and External Factors in the EU-Ukraine Example

The deep and comprehensive nature of the agreement meant that it would encounter political and legal hurdles and challenges until its signature. Nevertheless, some parts of the agreement were signed without challenges, and strengthened the political association and economic integration between the EU and Ukraine. This section therefore analyses the different sets of factors that contributed to and obstructed linkages between trade and non-trade issues. Overall, the factors predominantly facilitate linkages, ‘underlining the parties’ commitment to shared values and the objectives of the envisaged association’ (Van der Loo, 2016, p. 118).

The inclusion of objectives in the AA/DCFTA has been a crucial internal factor facilitating linkages between trade and non-trade issues (Ott and Van der Loo, 2018; European Commission, 2021a). The values and principles underpinning the EU’s relationships with its neighbours, as well as the EU’s identity as a promoter of peace and democracy, ensured that



the EU linked trade and non-trade objectives and issues (Gehring et al., 2017; Borchert et al., 2021). For example, as part of the EU's trade policy, the DCFTA submits 'to the general external policy principles and objectives of the Union's external actions' (Ott and Van der Loo, 2018, p. 233). The AA itself includes objectives related to non-trade provisions that 'promote, preserve, and strengthen peace and stability in the regional and international dimensions' (Association Agreement, 2014, p. 6). For example, besides the direct references under Title II, the AA commits the Parties to enhance cooperation by 'strengthening international peace and security as well as engaging in effective multilateralism and the peaceful settlement of disputes' and 'achieving an ever-closer convergence of positions on bilateral, regional and international issues of mutual interest, taking into account the [CFSP] of the European Union, including the [CSDP]' (ibid, pp. 4-5). The EU also used its influence as a model of regional integration (i.e., its presence) by inserting market access conditionality in the DCFTA for Ukraine's approximation to the EU *acquis*. Therefore, the EU used its capability and presence to make these objectives 'essential elements' in the AA, thereby ensuring that external action plus policies were closely linked within the agreement.

Legal and institutional factors emerging from the EU's presence also facilitated the linkage between trade and other external action plus policies. According to Davydenko, 'the legal basis for the Council Decision on the signing of the political provisions of the EU-Ukraine AA (17 March 2014) combined CFSP provisions of Article 31(1) and Article 37 TEU with the provisions on association of Article 217 TFEU' (2016, p. 201). He also adds that this is 'a logical consequence of the continuing bipolarity of the EU's external action as reflected in Article 40 TEU' (2016, pp. 201-2). The post-Lisbon framework, which institutionalised the CFSP, also contributed to the inclusion of non-trade objectives in trade agreements as the European External Action Service became largely involved in the negotiations over the political part of the AA (Van der Loo, 2016; Wessel, 2018). According to Wessel, 'with the increasing "normalization" of CFSP it has become part and parcel of the overall external relations regime of the Union, and it becomes difficult to clearly separate foreign policy from other EU external action' (2021, p. 197), demonstrating the growing linkages between these external action plus policies.

These legal and institutional factors, however, do not always translate into coherence in EU trade agreements, even though treaty provisions 'impos[e] a binding obligation of coherence in EU external relations on the Union' (Wessel, 2021, p. 189). Factors such as the 'cacophony' of EU voices or the politicisation of EU trade policy may serve to obstruct linkages between trade and non-trade issues (Leblond and Viju-Miljusevic, 2019; Meunier and Nicolaidis, 2019; Fiorini et al., 2019; Yildirim et al., 2021; Pelkmans, 2021; Łazowski, 2021; Wessel, 2021). Vertical coherence is particularly problematic when EU Member States have differing priorities and interests in negotiations. For example, the Member States were split over the legal basis of the Area of Freedom, Security and Justice (AFSJ) dimension of the AA. According to Van der Loo, the UK 'sought to opt out of Protocol 21' which related to Article 17 of the AA and Article 79(2)(b) TFEU 'on the rights of third-country nationals residing legally in the EU Member States' (2016, p. 169). This split the legal basis of the AFSJ dimension in a European Council decision, even though many Member States in addition to the European Commission disapproved of this decision. Moreover, in the Dutch referendum on 6 April 2016, voting against the Approval Act of the EU-Ukraine AA certainly had 'a great potential to serve as the straw that broke the camel's back' (Łazowski, 2021, p. 234). Yet, the non-binding nature of the referendum ensured that the Netherlands was able to ratify the AA and only slightly delay the adoption of the agreement.



The EU's approach to the Ukraine agreement may also be understood by studying the EU's external environment where the international arrangement of norms and interest with respect to its neighbourhood, acted as incentives for the EU to link the AA with non-trade objectives. Ukraine's geopolitical and strategic position as well as the fact that it transits Russian gas are key security issues that require the Union to act externally and ensure stability within the region (Van der Loo, 2016; Ott and Van der Loo, 2018). For example, Article 9 of the AA titled 'Regional Stability' includes that 'the Parties shall intensify their joint efforts to promote stability, security and democratic development in their common neighbourhood' (Association Agreement, 2014, p. 8). The DCFTA also includes a Trade-Related Energy chapter as a 'result of Ukraine's crucial role as a transit-country for Russian gas and oil' (Van der Loo, 2016, p. 280). Certainly, Russia and its activities within the region have played a central role in incentivising the EU to link such non-trade issues within the agreement (Muravska and Berlin, 2016; Łazowski, 2021). Indeed, some Member States wanted the AA signed 'as soon as possible, mainly to counterbalance the Russian pressure on Ukraine to join the Russian-led customs union' (Van der Loo, 2016, p. 111).

While these external factors acted as overtures for the negotiation and signing of the AA/DCFTA, Gehring et al. argue that the 'supranational decision-making apparatus and low-politics considerations,' including international trade, were instead more important considerations for the EU in EU-Ukraine relations. They argue that, since the CFSP had a limited role in the the AA - largely negotiated by Commission's DG Enlargement and European Neighbourhood Policy and DG Trade - 'this indicates the predominant concern of the EU with the low-politics details of the treaty' (2017, p. 727). Additionally, they posit that non-trade provisions included in the AA 'do not create hard obligations' since 'foreign policy competences rest almost entirely with the Member States (2017, p. 736).

EU-Ukraine Conclusion

The example of the EU-Ukraine AA presents clear evidence of how trade agreements can be used to link trade and other external action plus policies. In particular, the inclusion of Title II in the AA demonstrated the ever-increasing connection between these policies and trade, underlined largely by the 2021 Trade Policy Review and the EU's concept of open strategic autonomy. Both internal and external factors emanating from EU actorness played a central role in facilitating these linkages. More specifically, Ukraine's location within the EU's Eastern neighbourhood provided an incentive for the EU to negotiate the EU-Ukraine AA to ensure prosperity and stability within its neighbourhood. The AA/DCFTA also gave the EU an opportunity to exert its economic influence externally through the market access conditionality of the agreement. The EU also used its objectives, values, policy instruments and strategies (i.e., capability) to strengthen the link between the different external action policies within the AA through the adoption of the common values conditionality and the essential elements clause. Nevertheless, an analysis of the Ukraine example also illustrates that factors, such as incoherence, may obstruct linkages between different areas of EU external action. For example, the conflicting interests and preferences of Member States (i.e., vertical incoherence) may undermine EU external action, making it less effective.

4 Development

Unlike the exclusive legal competence of EU trade policy, development policy has distinct European and national components, making it a useful comparative case of shared legal competence. The EU is often seen by others – both in perception and reality – as a significant



donor, with development aid policy managed by the European Commission. While the EU is a member of the Organisation for Economic Co-operation and Development's Development Assistance Committee (OECD-DAC), the EU Member States are also full members who allocate significant foreign aid bilaterally to individual recipients. This section investigates the recent dynamics of the EU's foreign aid allocation with particular attention paid to the potential for policy differentiation between these two sets of actors. Because shared legal competence plays a central role in determining the EU's effectiveness as a foreign aid provider within the larger framework of its external action, an assessment of the internal and external factors that either facilitate or obstruct linkages with other policy areas must consider the importance, in particular, of horizontal and vertical coherence in development aid policies.

Development Objectives and Linkages

Development aid has long been an important part of EU external action, including through the establishment of cooperative relationships with other bilateral and multilateral organizations (Santiso, 2002; Carbone, 2007; Koch, 2015; Kreutz, 2015; Kim and Jensen, 2018; Steingass et al., 2021; Keukeleire and Delreux, 2022). The EU's official development aid policy was reformed by the 2007 Lisbon Treaty, which determined that 'Union development cooperation policy shall have as its primary objective the reduction and, in the long term, the eradication of poverty' (Article 208). The pursuit of this objective is based on 'fundamental principles laid out in European treaties, agreements, and strategies' and supports 'international objectives which the EU helped develop and committed to achieve, such as the UN 2030 Agenda for Sustainable Development' (DG International Partnerships, 2022a). The complementarity of development objectives between the EU and multilateral organizations, therefore, serves as an important feature of the international environment for external action in this policy area.

The Lisbon Treaty also underlines the importance of complementarity between European and national development aid, noting that 'The Union's development cooperation policy and that of the Member States complement and reinforce each other' (Article 208). Accordingly, within this policy area of shared competence, it is crucial for the EU and its Member States to assess how they allocate foreign aid and the motivations – e.g., material interests, recipient needs and poverty eradication – that inform these approaches. Given the challenges associated with vertical coherence, these motivations may not always be identical.

The EU's development policy increasingly links with a wide range of other policy areas. The Policy Coherence for Development (PCD), adopted into law by the 1992 Maastricht Treaty, proposes a dialogue between different issues, such as trade and development (DG International Partnerships, 2022a). The PCD's target is "to minimize the negative impact that non-development policies can have on development objectives of developing countries" (DG International Partnerships, 2022b). For example, a trade-related issue linkage between the EU's Common Agricultural Policy and PCD has emerged in terms of minimizing subsidies for European producers and making the EU market more accessible for developing countries' agricultural exporters. Accordingly, a developing country such as Ghana's compliance with sanitary requirements in agriculture increases their income through the removal of European import duties (DG International Partnerships, 2022b).²⁴

²⁴ For an additional perspectives that looks at linkages among development policy, sanctions and trade policy, see Meissner and Portela (2022).



The evolution of the EU's development policy is also reflected in changes in the international context (i.e., opportunity). For example, the Millennium Development Goals (MDGs) of 2000 set global standards and policy objectives for all countries and multilateral institutions (Sachs, 2012) as a novel way of dealing with poverty and underdevelopment. As a global standard, the MDGs exerted pressure on bilateral and multilateral donors (Carbone, 2008) across a range of eight distinct topics, from poverty eradication and gender equality to environmental sustainability and global partnerships.

Between 2015 and 2019, the EU worked to harmonize its development policy in relation to different policy areas, mainly including non-conventional security issues, which helped to heighten the importance of the development-security linkage. For migration, human trafficking, peace/stability and climate change had all become high-priority topics (DG International Partnerships, 2022b). The EU's New European Consensus on Development (NCD) of 2017 adopted the PCD as a significant element of policy coherence and aid effectiveness for the internationally agreed Sustainable Development Goals (SDGs) of 2015. Regarding linkages and the pursuit of coherence, the NCD states 'The EU and its Member States will apply the principle of PCD and will take into account the objectives of development cooperation in all external and internal policies which they implement and which are likely to affect developing countries' (Joint Statement, 2017, Paragraph 10).

While PCD targeted harmonization of development and non-development issues, the NCD specifically aims to create a coherent policy framework for SDGs. The EU's Global Strategy also suggests that SDGs are significant for external action (EEAS, 2016). The document mainly emphasized the "humanitarian-development-peace" nexus that is adopted in the PCD. These legal and official documents directly reflect the changing dimensions and potential for linkages among the EU's objectives and policy priorities related to development aid. Beyond the Global Strategy, the EU has also adopted regional strategies, particularly in Africa, which are designed to strengthen coherence and improve coordination among different actions, including security and development.²⁵

Internal and External Factors

Like trade policy, the EU has considerable presence in the area of development policy. While the EU institutions have large aid budgets that help to shape this image, the Member States also provide large amounts of funding through their national budgets. Collectively, these sums make the EU the largest donor of development aid in the world (Table 1).²⁶ The EU's presence in this policy areas may also be based, at least in part, on the historical and colonial relations of its Member States, which are discussed below in the context of development aid to African, Caribbean and Pacific countries.

Table 1: Comparison of EU and Members States with Other Development Aid Donors (Net Amount US Billion Dollars)²⁷

Donor	Net Amount of Foreign Aid (2020)	Share (%)
Germany	22.729	11.59

²⁵ For example, see the Regional Indicative Programme for Central Africa and the EU Gulf of Guinea Strategy and Action Plan (EEAS, 2022).

²⁶ See DG Economy and Finance (2022).

²⁷ All data is gathered from OECD-Statistics-DAC2A Section. Net Amounts in this table are billion US Dollars. For instance, Germany's global ODA allocation is more than 22 billion US dollars in 2020.



France	10.671	5.44
Sweden	3.541	1.81
Netherlands	3.663	1.87
Italy	1.305	0.67
Other EU Members ²⁸	6.559	3.35
European Union	20.804	10.61
European Union + Members	69.272	35.33
United States	29.673	15.13
All Official Donors ²⁹	196.075	100

Among other the internal factors, vertical and horizontal coherence play important roles in shaping the EU's development policy and its effectiveness. Vertical coherence matters because EU Member States can have diverging development agendas that are managed by different national ministries and give rise to policy differentiation (see below). This may not be surprising, in part, because the policy area is shared legal competence. Accordingly, vertical coherence among Member States and between the EU and Member States helps to shape the EU's effectiveness as a global actor. The EU's awareness and commitment to vertical coherence is consistently indicated in its legal and policy *acquis*, such as through the Lisbon Treaty (Article 208) and the NCD. Another way in which the EU pursues vertical coherence in this policy area is through the role of EU Delegations in the External Action Service, which helps to coordinate the work of national development ministries and the European Commission's Directorate-General for International Partnerships.

In terms of horizontal coherence, as noted above, development objectives have multiple linkages with the EU's other external action plus policies as well as through international standards and goals. The EU has also taken significant measures to harmonize linkages to address the security dimension of development, such as those related to the direct financial funding to conflict-affected settings. Nevertheless, given the different legal competences and the potential for different objectives, institutions and procedures in these policy areas, the linkages with development policy are not always seamless. In this regard, the legal landscape matters for the pursuit of linkages and horizontal coherence. For example, in 2008, the ECOWAS case (also called 'Small Arms and Light Weapons') found the European Court of Justice deciding the correct legal basis for a Decision of the Council to support financially the fight of the Economic Community of West-African States (ECOWAS) against the proliferation of small arms in the region. The Decision was based on CFSP/CSDP, but the European Parliament claimed that it was actually used for development cooperation. If the latter was the case, the EP would be much more involved in the decision-making process as the regular (non-

²⁸ Spain, Denmark, Belgium, Austria, Finland, Ireland, Poland, Luxemburg, Portugal, Hungary, Greece, Czech Republic, Slovakia, Slovenia

²⁹ Official Donors include all bilateral, multilateral (World Bank, United Nations, International Monetary Fund, etc.) disbursements from DAC and non-DAC donors, except some countries such as China and Russia who do not report to the OECD.



CFSP) procedure would apply. In fact, the claim was that a CFSP legal basis was used to side-step the more appropriate development legal basis. The case led to lengthy debates on what was 'security' and what 'development'. The Court concluded that the Decision addresses both security and development issues, so solely basing it on CFSP was incorrect. And, as combining different procedures is not possible, in these cases two separate decisions had to be taken: one addressing development issues, one dealing with the CFSP dimension, which was not helpful for facilitating horizontal coherence (Hillion and Wessel, 2009).³⁰

Addressing horizontal coherence between development and security, the EU has adopted a specific budget support program to address development in conflict-affected areas. The EU's State and Resilience Building Contract (SRBC) contributes to post-conflict recovery, development and democracy in conflict-affected settings (DG International Partnerships, 2022c). The SRBC can be seen as a new model to deal with the security dimension of development and is related to SDG goal 16, with the emphasis on aid tools for fostering peace and security. As a result, the EU's internal and external development priorities became more harmonized in terms of security-related issues.

Regionally, cooperating with the African, Caribbean and Pacific countries is the backbone of the EU's development cooperation. This regional focus is linked to other external action plus policies, such as security. For example, there are ACP countries in the Sahel region which suffer intense conflict, civil wars, aid dependence and climate change, and the EU considers this conflux of problems in its funding allocations. The implementation of SDGs in these environments requires a coherent approach in foreign aid when handling the development-security nexus. The empirical analysis in the next section illustrates the challenges of coherence – both horizontal and vertical – in relations with the ACP and Sahel region.

When linkages are made between development policy and other policies, political conditionality – such as the promotion of democracy and human rights – often becomes a feature of aid agreements. As the 2017 European Consensus on Development reaffirms, the EU's primary development objective is poverty eradication. But the Consensus 'also integrates the economic, social, and environmental dimensions of sustainable development and underlines the links between development and other European policies, including peace and security and humanitarian aid' (DG International Partnerships, 2022b). Related to political conditionality, an important external factor can influence the effectiveness of EU development policy. In particular, the EU increasingly encounters new geopolitical challenges from third countries, including China (Keukeleire and Delreux, 2015; Carbone, 2013). Through its own development policy, China is a major creditor and foreign aid donor with significant financial power that might challenge the EU's relations with the ACP countries. The generous Chinese grant and loan-based financial flows to ACP countries can pose significant challenges for the EU's development agenda, as it offers alternative sources of funding without political conditionalities. In this regard, Africa has become a hub of competition and collaboration among traditional and non-traditional donors with the emergence of non-DAC donors, such as China, creating new challenges for traditional donors like the EU.

As will be discussed below in the example of the ACP and, especially, the Sahel region, security events and crises can also serve as external factors that contribute to development-security policy linkages and play an important role in EU decisions to allocate development aid. Furthermore, the agreement and promotion of international standards can also serve as an

³⁰ The authors are grateful to Ramses Wessel for this helpful insight.



important external factor that facilitates linkages between development policy and other external action plus policies. For example, the EU's New Consensus on Development took the Sustainable Development Goals as an important reference point, since many SDGs include issues related to security and climate (DG International Partnerships, 2022b). The SDG's goal 16 particularly focuses on peace and security, and the development-security linkage is a vital part of global aid initiatives. Similarly, international agreements can support EU efforts to increase the effectiveness of development aid. For example, the EU took a further step in enhancing its aid effectiveness and contributed to the 2005 Paris Declaration for Aid Effectiveness regarding the coordination of development policy among donors (Carbone, 2013). Hence, internationally agreed ideas regarding the need to link development with other policies can function as important external factors that condition the EU's own approach to such linkages.

Vertical Variation and Aid Fragmentation: EU-ACP Relations

To provide further insights into the factors that matter for issue linkage in development policy, this section now turns to an illustrative example of EU development relations with an important and large group of recipient states. The Cotonou Agreement (2000) clearly specified the EU's primary recipients for development aid allocations as the African, Caribbean and the Pacific (ACP) countries (European Council, 2022). Although the Agreement expired in 2020, its application will continue until 2023, while the EU and the new organization of ACP countries – namely, the Organisation of African, Caribbean, and Pacific States (OACPS) – consider a more comprehensive agreement for post-Cotonou collaboration (DG International Partnerships, 2022d).

While development policy became more global after 2000, the ACP group remained the main focus of the EU's institutional outlook (Vanhoonacker and Pomorska, 2017). The Cotonou Agreement forms the *de jure* basis for the EU's engagement with the ACP, which now consists of 79 countries (including 34 Least Developed Countries). Within the scope of the agreement, the European Development Fund (EDF) allocated official development assistance drawn from the EU member states' budgetary allocations.³¹

The Cotonou Agreement also determined the normative framework for the EU's political conditionality, specifically related to human rights and democracy (Vanhoonacker and Pomorska, 2017). The Agreement emphasizes respect for human rights and democracy as European values shaping the EU's relations with the ACP countries. In the post-Cotonou period, this emphasis is extended to the fight against terrorism, migration and weapons of mass destruction.³² Accordingly, the Cotonou Agreement is revised to include non-conventional security concerns, reflecting the contemporary international environment (European Council, 2022). Therefore, the EU's position on its foreign aid to ACP countries can be seen as shaped by its values as well as its own material/security interests, not only based on the recipient countries' needs.³³

³¹ For more recent initiatives on EU development funding, such as the Neighbourhood, Development and International Instrument – Global Europe (NDICI), see DG NEAR (2022).

³² In addition to many other development objectives, the new post-Cotonou Agreement (European Council, 2022) includes linkages to foreign policy with a general Title II on Peace and Security (see also Vedder, 2013).

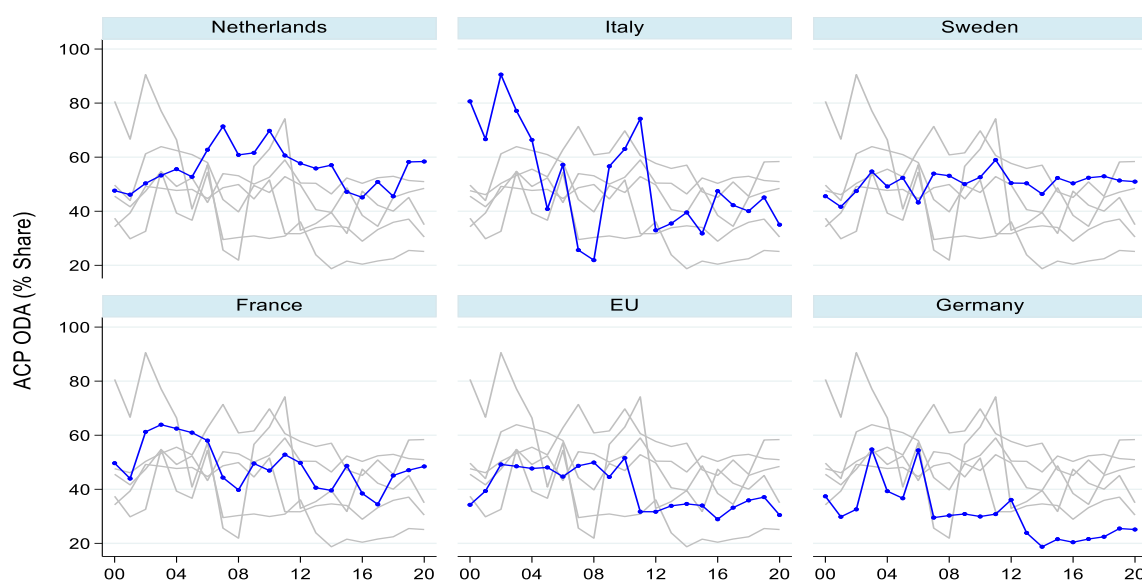
³³ According to Hurt (2003), the EU's relationship with the ACP countries and the Cotonou Agreement reflects the EU's hegemonic interests instead of development cooperation because the EU has significant trade partnerships and deep-rooted economic relations with the ACP countries.



Some of the EU Member States' positions on development aid toward ACP countries may diverge from the EU's position, which can lead to aid fragmentation and vertical incoherence over time. Such policy divergence among the EU Member States – and between the EU and its Member States – is important because it can impact the EU's overall effectiveness as a foreign policy actor (Mackie, 2016).

While the Cotonou Agreement provides a sound and consistent normative framework and geographical focus for the EU's development policies, there is noticeable variation in the allocation of aid in line with this normative framework. For example, it may be expected that the EU and its Member States would allocate the bulk of foreign aid flows to ACP countries rather consistently. However, this does not seem to be empirically verified by OECD data. Figure 1 ranks total percentages of foreign aid allocations from 2000-2020 for the EU and its top-donor Member States. As the data shows, for both the EU and top Member State donors, foreign aid to ACP countries changes substantially over time. This ranking of aid as a share of GDP also provides an insight into the variation among donors in terms of their prioritization of the ACP countries.³⁴

Figure 1: ACP's ODA Share Over Time (as % of Total ODA)³⁵



The potential for aid fragmentation and vertical incoherence can also be observed with an analysis of the aid allocations of the EU and its largest donor Member States to ACP countries under the Cotonou Agreement. As shown in Table 2, the Netherlands allocates the highest share of its foreign aid – 58% of total aid, totaling 476 million US dollars – to ACP countries. The Netherlands ranks at the top in terms of prioritizing ACPs within its foreign aid.³⁶ At the

³⁴ Net amounts do not clearly illustrate this variation as donors' economic size varies.

³⁵ Highlighted blue line shows ACP's percentage share for specific donors. Grey lines show other donor ODA flows to ACP. We can merge all these countries in one line plot; however, the graph becomes extremely complicated. This is why, we use separate plot to highlight each donors' ODA flows to ACP.

³⁶ It needs to be noted that different market size, GDP for each donor is reflected on their net ODA allocations. However, as absolute numbers of aid allocations might not be a solid measure of



other end, Germany allocates 25 percent of its total aid to ACP countries; while Germany's net amount of ODA is not lower than other donors, the ACP clearly is not prioritized. Among EU Member States, France ranks first in net amounts (not shares), allocating 3.4 billion US Dollars to the ACPs. However, in order to show regional priorities, a more thorough look at ACPs' total share in overall ODA flows, and not net amounts, is needed.

Table 2: ACP Share and Net Amount of Foreign Aid Flows in Million USD (2020)

Donors	ACP Share (%)	ACP (Net)	Total Donor ODA (Net)
Netherlands	58.43	476.75	816
Sweden	50.88	900.03	1769
France	47.76	3454.29	7232
Italy	35.01	233.9	668.08
EU	30.47	4628.41	15190
Germany	25.12	2975.74	11846

In addition to the ACP countries, it is possible to find regional variations in the EU and its Member States' foreign aid to other African, Pacific and Caribbean countries that are not ACP members. A regional analysis of the EU and its top five Member State donors across the Americas, Oceania, Europe, Africa, Asia and the Middle East reveals significant variation among aid donors. For example, Africa's share (North and South of Sahara) substantially differs among donors. France and Netherlands allocated more than 70 and 65 percent of total ODA flows to Africa and the Americas, respectively, between 2014 and 2020.

Table 3 shows the top-ranked recipients of EU and its top Member States' development aid. ACP countries are in bold, and asterisks indicate former colonies, which helps to reflect the EU's presence in this policy area. French ties with former colonies may help to explain why they would prioritize Côte d'Ivoire, Senegal, Cameroon and Somalia as aid recipients. Yet this finding for France does not fully account for the low levels of ACP countries as top recipients from the EU and Germany. Indeed, for all the other donors, more ACP countries emerge as top recipients of foreign aid.³⁷ Likewise, as Ukraine, Morocco, Egypt, Afghanistan and Syria have become top EU-ODA recipients, the EU's material interests – specifically those over security, its hinterland and migration – are perhaps becoming determining factors for its foreign aid flows. If so, the EU's development policy is truly becoming linked to its foreign and security policy.

Table 3: Top 10 Recipients of EU and EU Members' ODA (2019-20 Average)³⁸

	<i>European Union</i>	<i>Germany</i>	<i>France</i>	<i>Italy</i>	<i>Netherlands</i>	<i>Sweden</i>
1	Ukraine	Syria	Côte d'Ivoire*	Tunisia*	Ethiopia	Afghanistan

assessing policy and recipient prioritization, it is the ACP countries' overall share of aid that would signal how the EU and its Member States would prioritize ACP countries with foreign aid.

³⁷ Further vertical variation among the EU Member States can be seen in relation to the different income groups of aid recipients. Italy, the Netherlands and Sweden are the three countries allocating their foreign aid to mostly least-developed countries, whereas the EU, Germany and France prioritize low- and middle-income countries.

³⁸ Data from OECD (2022).



2	Morocco	India	Senegal*	Türkiye	Afghanistan	Somalia
3	Egypt	Iraq	India	WB/Gaza Strip	Mozambique	Mozambique
4	Afghanistan	Jordan	Cameroon*	Lebanon	South Sudan	DRC
5	Syria	China	Morocco*	Ethiopia*	Rwanda	Tanzania
6	Jordan	Afghanistan	Somalia*³⁹	Afghanistan	Bangladesh	Ethiopia
7	Georgia	Indonesia	Uzbekistan	Libya*	Mali	South Sudan
8	Iraq	Colombia	Georgia	Egypt	Benin	Uganda
9	WB/Gaza Strip	Türkiye	Ecuador	Senegal	Uganda	Syria
10	Bangladesh	Tunisia	Mexico	Mozambique	Yemen	Zambia

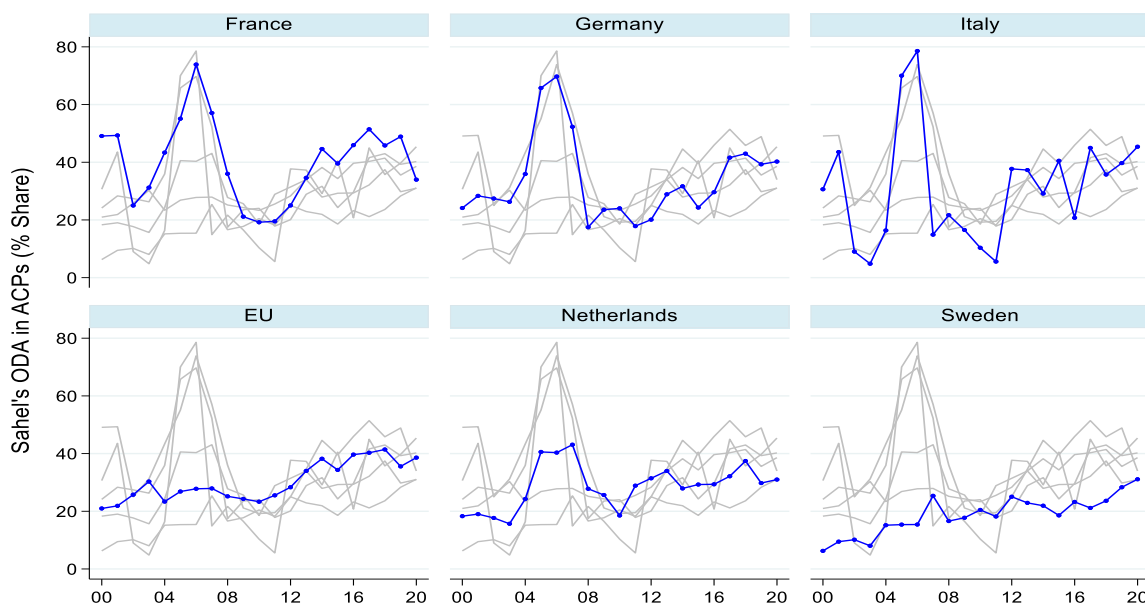
Security and EU Development Policy: The Sahel Region

Exploring further the link between EU development policy and foreign and security policy, this section briefly looks at the illustrative example of EU relations with the Sahel Region. While cooperation between the EU and ACP countries has increasingly incorporated a security dimension, in 2020, the EU extended the Cotonou Agreement with a political agreement for a future post-Cotonou policy framework. As a result, development cooperation reflected internal and external challenges, and subsequently, security, climate change, peace, democracy and human rights have been linked as significant pillars of a new global development policy that reflect the EU's priorities. While the Cotonou Agreement constitutes a central feature of the EU's development agenda (Carbone, 2017), the Sahel region – including Burkina Faso, Cameroon, Chad, Gambia, Guinea, Mauritania, Mali, Niger, Nigeria and Senegal – provides a clear and important illustration of the ways in which development and security are linked.

While there are notable differences among EU and EU Member States' aid allocations in the ACP countries, the Sahel region has even more pronounced variation. Growing population, climate change, unsustainable agricultural policies, extreme poverty, unemployment, school dropout, migration, civil wars and terror are leading problems in the Sahel region, which link security with development (European Parliament, 2020). This is why the EU adopted a European Strategy for Security and Development in the Sahel in 2011. Figure 2 illustrates the increase in EU and EU Member States' foreign aid to the Sahel region as a proportion of total aid to the ACP from 2000-2020.

Figure 2. Sahel's Share of ACP ODA Flows

³⁹ Some parts of Somalia were a French colony.



While there is a variation among the EU and its Member States' aid allocation to the ACP countries, the Sahel region as a subcategory within the ACP has recently become fairly steady. The importance of the Sahel region is linked to the SDG's goal 16, as the EU and its Member States have a sectoral priority for enhancing security-driven goals for development in this region. To achieve this goal, the EU uses more direct funding – the State and Resilience Building Contract (SRBC). In 2021, there are 38 ongoing SRBC budget support contracts, amounting to more than 2.5 billion US Dollars. Mali, Niger, Senegal, Gambia, Guinea, Burkina Faso, and Chad make up 54% of the total SRBC contracts. The EU's linkage between development and security, via the emphasis on state and resilience-building, is visible within these contracts.

As demonstrated in the empirical analysis, the EU's development policy has evolved with a robust linkage between development goals and security concerns as well as objectives and political conditionality found in other external action plus policies. Despite the Cotonou Agreement and the EU institutional framework, the variation that exists among the EU and its top donor Member States in terms of their priorities and aid allocation patterns raises questions about the ongoing extent of coherence in EU development policy. While the EU continues to be the largest donor of development aid, internal and external challenges continue, including the rise of alternative donors such as China.

5 Humanitarian Aid

Like development policy, the EU's humanitarian aid policy is a shared legal competence between the EU institutions and Member States, which distinguishes it from the exclusive legal competence of trade policy. This section, therefore, analyses humanitarian aid policy in order to add comparative insights to the baseline set in the analysis of trade policy in Section 3. As a shared legal competence, the assessment of the internal and external factors that either facilitate or obstruct linkages between humanitarian aid and other policy areas



highlights – similarly to development policy – the importance of horizontal and vertical coherence.

Humanitarian aid is an important component of EU external action and its ability to respond to “needs in the event of man-made or natural disasters” (European Parliament, 2022). The 2007 European Consensus on Humanitarian Aid (CHA), signed by the Presidents of the Council of the European Union, the European Commission and the European Parliament outlines the shared goals of EU humanitarian aid policy as providing a needs-based emergency response to save lives, prevent and relieve human suffering and safeguard human dignity (Joint Statement, 2008). The CHA also affirms the adherence of EU humanitarian aid policy to the four basic principles of International Humanitarian Law: neutrality, humanity, independence and impartiality.

While gaining its specific legal basis only after the Lisbon Treaty came into force, EU humanitarian aid policy can be traced further back. For instance, the European Community Humanitarian Aid Office - which was later changed to the current Directorate General for European Civil Protection and Humanitarian Aid Operations (DG ECHO) - was established in 1992. Moreover, a Regulation by the Council of the European Union was adopted in 1996 to create a valid legal foundation for EU humanitarian aid policy (Council of the European Union, 1996). Currently, the EU's humanitarian aid legal framework is found in Article 21(2)(g) of the Treaty on European Union (TEU) and Article 214 of the Treaty of the Functioning of the European Union (TFEU), which recognises humanitarian aid policy as an autonomous policy in its own right, while still falling within the context of the Union's external action policies and objectives. Most recently, the Union Civil Protection Mechanism was amended to govern the EU's coordination actions in the event of man-made or natural disasters in Europe and beyond.⁴⁰

The EU dedicates considerable amounts of funding to its humanitarian aid activities, which helps to establish external perceptions about its presence – along with its Member States – as a leading humanitarian aid actor. For example, the EU's humanitarian aid instrument has been allotted EUR 11.6 billion for the years between 2021-2027 (European Parliament, 2022). While a portion of such funding comes directly from Member States, the EU budget covers the majority. The initial budget has been increased through later transfers from the EU Emergency Aid Reserve and redeployment from other budget lines, as well as the European Development Fund.

As a shared competence between the EU and Member States, humanitarian aid policy reflects the interconnectedness of multiple levels of governance and policy arenas in the policy process (Keukeleire and Delreux, 2014). DG ECHO does not implement programmes by itself. Rather, it coordinates Member States' policies and activities and funds relief operations carried out by a variety of partners, which include non-governmental organisations (NGOs), United Nations (UN) agencies and international organisations (IOs).

The European Commission proposed – in its 2021 Communication on the EU's humanitarian action – the creation of a European Humanitarian Response Capacity (EHRC), under the direct management of the Emergency Response Coordination Centre (ERCC), in order to

⁴⁰ Decision (EU) 2019/420 of the European Parliament and of the Council of 13 March 2019 amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism. *EUR-Lex. Official Journal Of The European Union*.



empower the EU to assist directly in humanitarian crises where established humanitarian delivery systems via EU partners are inefficient or inadequate (European Commission, 2021d). Currently, the ERCC coordinates the delivery of assistance to disaster-stricken countries, such as relief items, expertise, civil protection teams and specialised equipment. The Centre acts as a coordination hub between all EU Member States, the six additional Participating States, the affected country, and civil protection and humanitarian experts. Under the new EHRC initiative in 2022, direct humanitarian assistance was delivered in Moldova, Ukraine and Afghanistan, specifically in the form of pre-positioned stockpiles and humanitarian air bridge operations.

The European Parliament and the Council of the EU act as co-legislators in shaping the EU's humanitarian aid policy. Within the Parliament, in particular, the Committee on Development (DEVE) has jurisdiction for humanitarian aid. Furthermore, the Parliament oversees the distribution of humanitarian aid and works to ensure that budgetary resources are enough to meet humanitarian needs (European Parliament, 2022).

Humanitarian Aid Objectives and Issue Linkages

Compared to EU trade and development policies, the humanitarian principles – humanity, neutrality, independence and impartiality – may, at a first glance, appear to obstruct direct linkages with foreign and security policies as well as other external action plus policies. In particular, there is a potential conflict between the independence and impartiality goals of humanitarian aid and the operational policy aspects of vertical and, especially, horizontal coherence. However, as Cihangir-Tetik and Müftüler-Baç argue, “both because of the close connection between the origins and consequences of a humanitarian crisis and the Lisbon Treaty's emphasis on enhanced coherence of the EU's external assistance policies – including humanitarian aid, development cooperation, Common Foreign and Security Policy (CFSP) and trade policy – EU humanitarian aid policy is directly linked to other policy areas” (2021, p. 442).

Similar to trade and development policy, the EU's 2016 Global Strategy provides insights on the potential link between humanitarian aid and other external action plus policies, for example, through the Comprehensive Approach, which emphasised ‘a coherent use of all policies at the EU's disposal’ (EEAS, 2016, p. 9). In essence, the Comprehensive Approach called for bundling all EU instruments and resources “spanning the diplomatic, security, defence, financial, trade, development cooperation and humanitarian aid fields” (Joint Communication, 2013). While there has been long-standing tension between humanitarian aid policy as needs-based (independent and impartial) and its addition into the Comprehensive Approach policy towards a “joined up external action”, the formulation used in the Global Strategy – and the subsequent introduction of an Integrated Approach (EEAS, 2021) - makes it rather plausible that links indeed exists.

Furthermore, a linkage can be identified between humanitarian aid and EU security policy, even if perceived as conflictual vis-à-vis the humanitarian principles. The EU's CHA affirms that humanitarian aid is not a crisis management tool (Joint Statement, 2008, p. 2), and it stresses that military assets and capabilities in support of humanitarian relief operations are to be ‘used only in very limited circumstances as a “last resort”, i.e., where there is no comparable civilian alternative and only the use of military assets that are unique in capability and availability can meet a critical humanitarian need’ (ibid, p. 7). There is a clear intention for separation between the military assets, to remain in military control, while the humanitarian operation is to remain in the control of the humanitarians (ibid, p. 7). However,



Article 43 TEU provides that the Union may use civilian and military means to pursue humanitarian tasks. What is more, under specific circumstances, processes adopted within the context of the CSDP may be used to support humanitarian operations.

Additional potential linkages between humanitarian aid and EU foreign and security policies might exist based on the Partnership guiding principle for EU's external action, elaborated in the Global Strategy. Namely "(i)n pursuing our goals...(w)e will work with core partners, like-minded countries and regional groupings. We will partner selectively with players whose cooperation is necessary to deliver global public goods and address common challenges" (EEAS, 2016, p. 18). The EU's humanitarian assistance is delivered almost solely through partners, including states, NGOs, the United Nations and other international organisations. Thus, the selection of partners to deliver humanitarian aid is likely influenced by a specific set of guidelines as above, where CFSP objectives may seep through (e.g. interest in promoting democracy, rules-based global order, prosperity, peace and security).

While direct linkages between humanitarian aid policy and EU foreign and security policies are assumed to be rather few, there is an important indirect link, through the humanitarian-development nexus. As already discussed in this paper, EU development policy has strong and direct linkages to EU foreign and security policies, which means that any linking between development aid and humanitarian aid can also be affected indirectly by EU foreign and security policies, interests, goals and objectives. Such 'aid linkages' are mentioned in the EU's CHA, with the purpose of enhancing disaster risk reduction in order to decrease the vulnerability of people at risk from disasters and linking relief to long-term development aid to ensure a smooth transition between different support tools that help victims recover from an emergency (Joint Statement, 2008). It is further found in the Global Strategy under the Political Economy of Peace objective calling for "greater synergies between humanitarian and development assistance, channeling (EU's) support to provide health, education, protection, basic goods and legitimate employment" (EEAS, 2016, p. 31), as well as referring back to the use of a "joined up approach" in relation to the State and Social Resilience objective (ibid, p. 26).

Internal and External Factors in Humanitarian Aid

EU humanitarian aid policy is set in a very complex and interconnected but, also at times, conflictual environment. This complexity is reflected in the policy's legal framework, based in two Treaties, as well as the Consensus. As a shared competence, the policy can be seen as affecting vertical coherence, while through its decision-making and operational set-up, it can be seen as affecting horizontal coherence. In this context, the policy requires a plethora of actors to be involved, all of which can potentially contribute to the EU's presence as a leading humanitarian actor.

Internal Factors

While the EU has considerable presence in the area of humanitarian aid, another significant internal factor relates to the legal framework. There is an inherent conflict of objectives that arises from placing humanitarian aid policy under a specific set of principles – neutrality, humanity, independence and impartiality – while being part of EU external action seeking to speak with a single coherent voice based on collective interests and values across different policies. This 'tug-of-war' between independence and impartiality on the one side, and coherence in interests and values on the other, more often than not matters for linkages between humanitarian aid and other EU external action plus policies. What continues to be contentious in the literature is whether these linkages carry positive or negative



consequences. From the view of humanitarians, any linkages to political, economic or military goals leads to grave effects on the humanitarian aid policy. These include endangerment of the aid workers, loss of access to the people in need and an overall decrease of credibility and ability to work with committed partners (Dany, 2015). Yet, the Global Strategy and shifts toward a Comprehensive Approach and a “joined-up approach” stress the need for horizontal coherence to tackle challenges with “a coherent use of all policies” (EEAS, 2016, p. 9) in ways that protect and promote EU interests and values.

Another important internal factor is the potential complication to vertical coherence that arises from the shared legal competence in this policy area, as defined in TFEU Article 4(4). In this context, the EU and its Member States should complement and reinforce each other. However, while ECHO assumes a level of autonomy over how aid funds are allocated, “it would be naïve to think that (...) ECHO would turn a deaf ear to its major European member states” (Barnett and Weiss, 2011). Additionally, while there is a consistent attempt through the legal framework and through the work of ECHO to adhere to the four enshrined principles, “the Member States implement humanitarian aid principles considerably less in their actions” (Bandov and Gošović, 2018, p. 29). They are more often influenced by their own foreign policy interests, as well as by domestic developments, such as elections and seeking to gain political points with domestic audiences (Bandov Gošović, 2018). Even when Member State determinants to provide humanitarian aid align with EU principles, different priority orders may exist for the recipient countries (Fulvio, 2015), driven by diverse traditions within the Member States (Bandov and Gosovic, 2018). As a result, internal factors can vary considerably across the EU and the Member States.

Some literature, while referring to ‘foreign aid’ and not strictly distinguishing between development and humanitarian aid, also argues that historical, cultural and colonial relations influence states’ national foreign aid policies. For example, Carnegie and Marinov (2017) trace the favourable allocation and planning of foreign aid for countries that are former colonies of the EU Member State holding the EU Council Presidency during the time of budget negotiations. Similarly, examinations of Poland and the Czech Republic’s foreign aid reveals the influence of geographic and historical ties (Opršal et al., 2021). Thus, it can be cautiously advanced that the EU’s humanitarian aid policy is not immune from Member States’ national policy priorities and influences, which holds the potential to decrease vertical coherence.

Another important internal factor that may obstruct the linkage between humanitarian aid and other external action plus policies is the legal basis of the policies. The shared legal competence of humanitarian aid can differ considerably from other policy areas, and ‘Despite several Treaty amendments, the EU’s external actions are still fragmented and competences are scattered throughout the two Treaties’ (Szép and Wessel, 2022, p. 4). Such fragmentation and inconsistency can lead to legal disputes and undermine ‘efficient policy making... with internal debates (between the Union and its Member States and/or between the Union institutions) which may delay much needed Union actions to tackle external crises’ (Szép and Wessel, 2022, p. 42).

While the internal factors identified in this section can potentially obstruct the linkage between humanitarian aid and other EU external action plus policies, the *modus operandi* of ECHO represents a capability that can facilitate such linkages, contributing to increased horizontal coherence. Because the DG does not deliver aid on the ground, it distributes humanitarian aid almost solely through its 200+ partners. As stated above, these numerous



partners are selected based on criteria that, besides technical capabilities assurance, have an element of ensuring commonality in values. Therefore, humanitarian aid may be seen as adhering to coherent external action in terms of material interests as well as values, even if subtly.

External factors

By definition, humanitarian aid responds to needs in the event of man-made or natural disasters. Therefore, 'opportunity' matters as a factor because specific external events – crises where the provision of immediate assistance is required – drive most of the delivery of aid. While these events can be sometimes forecasted and some aid can be provided in preparation for a disaster, often they are sudden and unpredictable.

Certain man-made crises, such as conflicts, can be understood as a change in the global environment – e.g., the case of Russian aggression in Ukraine. Such events have the potential to facilitate the linkage between humanitarian aid and other EU external action plus policies, potentially enhancing horizontal coherence and strengthening the joined up approach in response to crises. In such instances of conflicts, there is a plausible initial expectation that EU foreign and security objectives for a rules-based international system, peace, and security do align with the humanitarian aid principle of humanity.

Another external factor that might affect a linkage between humanitarian aid and other EU external action plus policies is the potential for competition among aid donors. There is some evidence of competition in development aid and while counterintuitive, evidence of competition may also be found in the area humanitarian aid (Fuchs et al., 2015; Cihangir-Tetik and Müftüler-Baç, 2021). Similarly, a donor's external recognition as an aid supplier can contribute to higher levels of legitimacy and strengthen the donor's overall image, be it regional or global. For example, ECHO's presence and work in providing humanitarian aid timely, effectively and as a neutral actor, has the potential to contribute to its "legitimacy and recognition, reinforcing its capacity to work... in the context of humanitarian crises" (Nascimento, 2022). But more importantly, as ECHO has increased its role and strengthened its image, it has also helped the overall credibility of the EU as a capable global actor. According to Versluys (2016), humanitarian aid provision can be a strong legitimising instrument, working even better than development aid. For example, humanitarian aid has an immediate effect, which gains media attention and contributes to positive popular perceptions.

The Ukraine Example: Escalation of Humanitarian Crisis

For more detailed insights on these factors, this section now turns to the illustrative example of Ukraine. In late 2013, large scale public demonstrations in Kyiv, which began against the decision of the Ukrainian government to delay the signature of the proposed Association Agreement with the EU, marked a wave of demonstrations also known as Euromaidan. Followed by several months of protests and demonstrations, there was a change in the Ukrainian government in February 2014. However, in the wake of the Euromaidan Revolution, Russian President Vladimir Putin annexed the Crimean Peninsula and incited separatist violence in the Donbas region leading to a new conflict in east Ukraine. In April 2014, Russian armed groups seized parts of the Donbas – Ukraine's easternmost provinces of Donetsk and Luhansk. Despite of the Minsk Agreements in 2014-2015, occupation of Crimea and fighting between Russian separatists and the Ukrainian government in the Donbas region has lasted for the past eight years (Centre for Preventive Action, 2022). In these years, the conflict has



claimed 13,000 lives, 3,400 of them civilians, and has displaced more than 850,000 people (Kirn and Ossenbrink, 2022).

In November 2021, Russian forces began to build up on the border with Ukraine. On 24 February 2022, Russia launched a full-scale attack from multiple directions on Ukraine, triggering a grave humanitarian crisis. As of 31 July 2022, 6,136,847 refugees from Ukraine have been recorded across Europe, while 3,749,153 refugees from Ukraine have registered for temporary protection or similar national protection schemes in Europe. Within Ukraine, some 6.6 million people were internally displaced as of end July 2022 (UNHCR, 2022).

EU-Ukraine humanitarian aid: 2014 - August 2022

The EU's DG ECHO has been operating in Ukraine since February 2014. Since then, the EU and its Member States have provided around €1.3 billion in humanitarian aid (European Civil Protection and Humanitarian Aid Operations, 2022a). DG ECHO plays a key role in facilitating this humanitarian coordination, information-sharing and humanitarian advocacy with various humanitarian organisations on the ground. Additionally, DG ECHO advocates for the humanitarian dimension to be included in the implementation of recommendations of the Ukraine Recovery and Peace-building Assessment (RPBA) and similar exercises, which frame the Ukrainian Government's and donors' medium-term priorities (European Civil Protection and Humanitarian Aid Operations, 2020).

When the crisis broke out in 2014, DG ECHO's annual global allocations process had already been launched. Considering sudden-onset crises, the first year of humanitarian aid provided to Ukraine had been covered by three separate Emergency Decisions (European Civil Protection and Humanitarian Aid Operations, 2022b). Starting from 2015, DG ECHO started to prepare and publish 'Humanitarian Implementation Plans' (HIPs) which provide more detailed information on the operational priorities identified (European Civil Protection and Humanitarian Aid Operations, 2022c). It is worth mentioning that HIPs are not static documents and can be revised and updated in case of additional need or funding. Moreover, HIPs are not subjected to any kind of conditionality, which would require a receiving country or region to adopt political, economic or legal reforms, thus following the humanitarian aid principles. Decisions only indicate the objectives of humanitarian actions, the amounts of the Union contribution, the methods of implementation and the Flexibility clause (DG ECHO, 2022a).

As shown in Table 4, DG ECHO has distributed over 229,2 million EUR in Ukraine during the period from 2014-2021. With the escalation of the conflict and the Russian invasion, DG ECHO distributed over 335,4 million EUR in the period from January-August 2022.

Table 4: DG ECHO Humanitarian Aid Funding to Ukraine, 2014-August 2022 (EDRIS 2022)

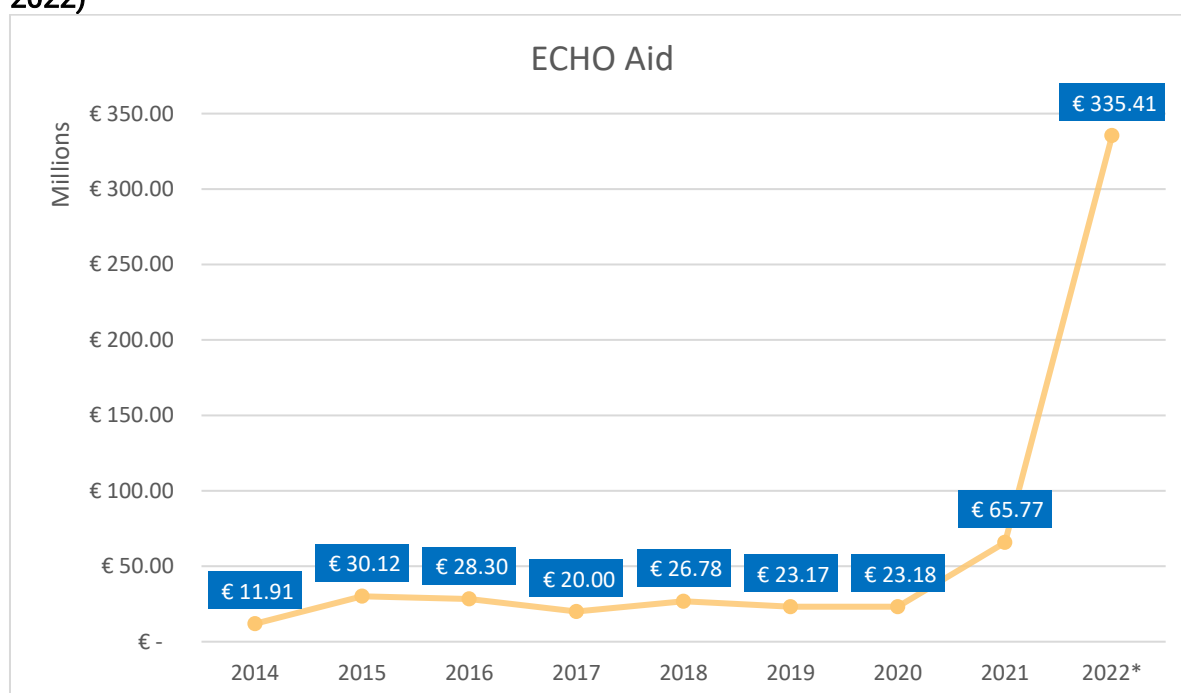
Year	ECHO Aid
2014	€ 11,909,796.16
2015	€ 30,123,498.56
2016	€ 28,297,489.75
2017	€ 20,000,000.00
2018	€ 26,784,080.00
2019	€ 23,170,204.00



2020	€ 23,184,100.00
2021	€ 65,774,500.00
2022	€ 335,411,913.00

The Ukrainian crisis had been underestimated since its outbreak. As shown in Figure 3, since 2016 humanitarian aid to Ukraine had been underfunded. The increase in DG ECHO spending in 2018 followed the Ukraine being accorded higher priority as a 'Forgotten Crisis' (European Civil Protection and Humanitarian Aid Operations, 2020a).

Figure 3: Increase in DG ECHO Humanitarian Aid Funding to Ukraine, 2014-2022 (EDRIS 2022)



Internal and External factors in EU-Ukraine Case

As discussed previously, there is a tension in the linkage between humanitarian aid and foreign and security policy areas. In the example of Ukraine, DG ECHO's work is influenced by both an ambition towards upholding the principles set out in the Consensus and, simultaneously, by the EU's Comprehensive Approach to external action (especially the humanitarian-development nexus). In addition, as a coordinator for actions by Member States, it is open to the susceptibility of Member States' humanitarian aid provision being affected by their own national policy interests.

Figure 4 demonstrates the top 10 Member States providing bilateral humanitarian aid to Ukraine outside of the EU structures in 2014. Subsequently, Figure 5 demonstrates the top 10 Member State countries providing bilateral humanitarian aid to Ukraine outside of the EU structures in 2022. When it comes to the first outbreak of the conflict in 2014, a general observation can be made – geographical proximity to the country in conflict plays a visible role in providing the humanitarian aid to Ukraine. Notably, Poland, one of the closest partners of Ukraine as well as sharing its borders with the country, is ranked third. Additionally, Sweden and Finland together with the Baltic states are also noticeable contributors.



There is a considerable increase in the amount of humanitarian aid provided by Member States in 2022 (Figure 5). The top 10 Member States have also changed with geographical proximity not playing a role any longer, but arguably Member States' own interests still influence the humanitarian aid allocations. While in 2014, the conflict and annexation were (erroneously) perceived as a local/regional matter – contained predominantly to Ukraine – the Russian invasion in 2022 was viewed as threatening the security of the whole continent. Thus, Member States like Spain, the Netherlands, Italy and even Ireland are present as serious humanitarian aid contributors. As a result, their own national policy goals, indirectly, may influence the EU's humanitarian aid policy. Therefore, vertical coherence might potentially be obstructed with the goals of humanitarian aid (independent and impartial) being conflated with a new set of Member State interests.

Figure 4: Top 10 Bilateral Contributions of Member State's Humanitarian Aid to Ukraine in 2014 (FTS, 2022)

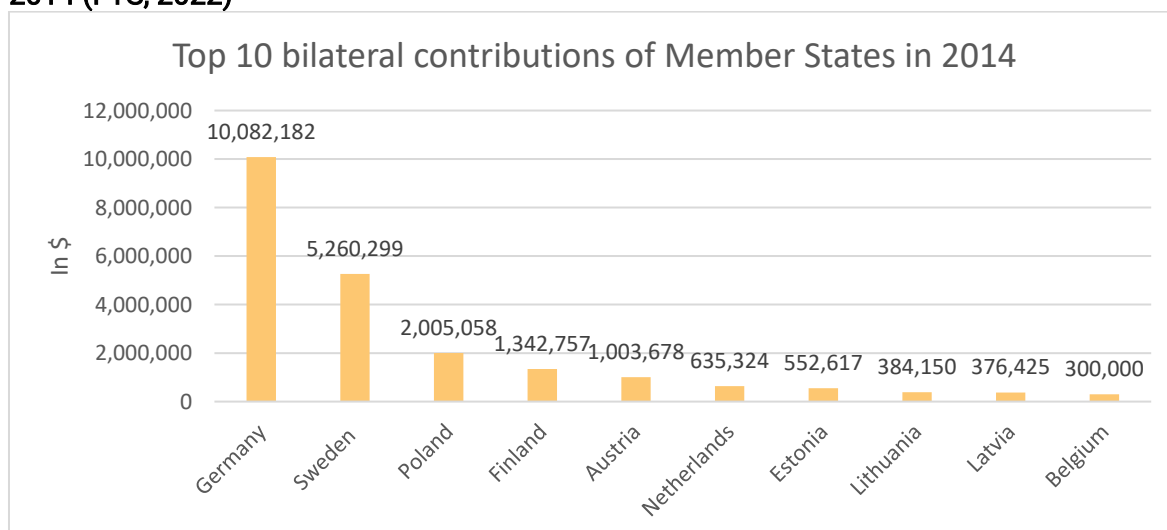
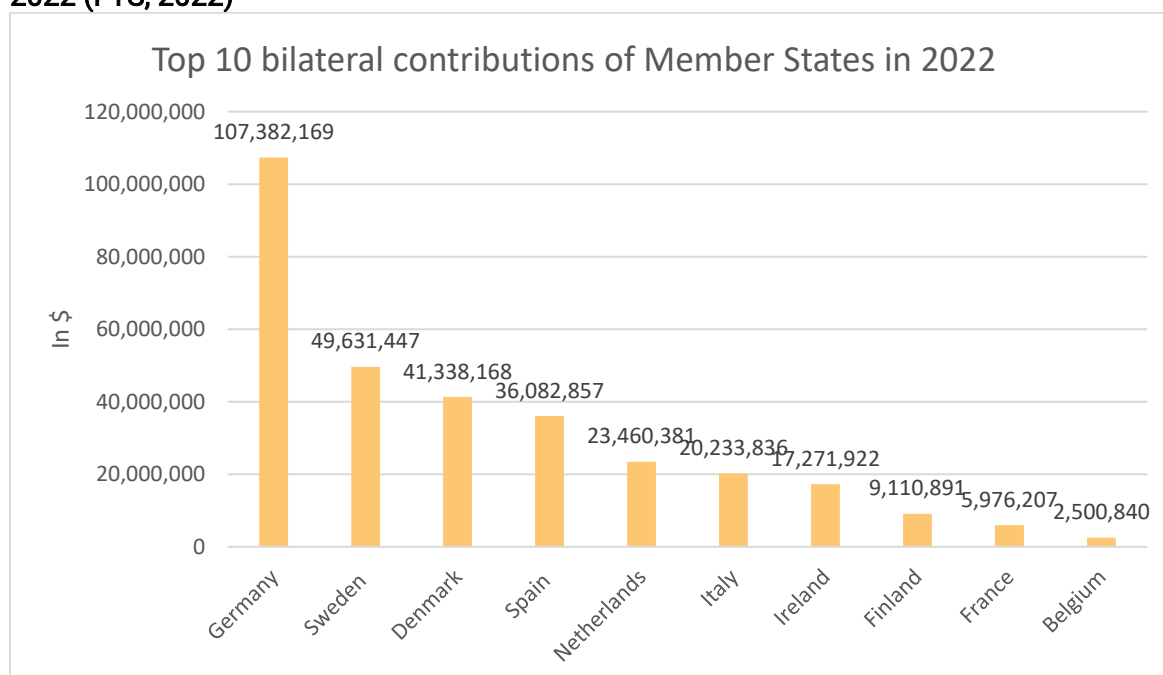




Figure 5: Top 10 Bilateral Contributions of Member State’s Humanitarian Aid to Ukraine in 2022 (FTS, 2022)⁴¹

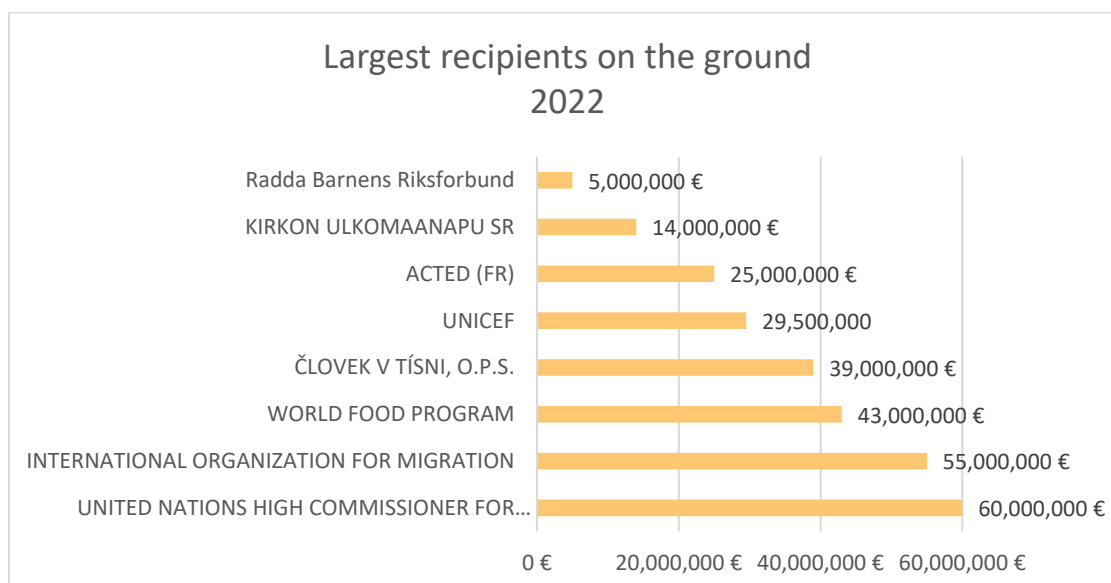


While most internal factors tend to obstruct the linkage between humanitarian aid and foreign and security policy, the *modus operandi* of DG ECHO can also facilitate linkages. As mentioned previously, horizontal coherence can be enhanced through the established processes of humanitarian aid implementation on the ground by various partners that shall share common values with DG ECHO and adhere to similar values as the Union. These partnerships with the Commission are enshrined in Framework Agreements. Partners are additionally subjected to assessment on a regular basis whether they continue to comply with the partnership conditions and criteria (DG ECHO, 2022b).

Figure 6 shows the largest recipient partners of DG ECHO humanitarian aid on the ground in Ukraine. They are obliged to implement the humanitarian aid on the ground and ensure the respect of principles set out by DG ECHO, based specifically on international humanitarian law, refugee law and the fundamental humanitarian principles of humanity, impartiality, neutrality and independence (DG ECHO, 2022b). The largest recipient of humanitarian aid on the ground in 2022 has been the United Nations High Commissioner for Refugees (UNHCR), which is also guided by the principles of humanity, impartiality, neutrality, and independence. The same applies for the International Organization for Migration (IOM) and all the other partners referenced in the Figure 6. All indicated partners are well-established organizations abiding to the same values of the EU. Ensuring commonality in values between partners and the Union (promoted through all external action plus policies), DG ECHO in this process enhances relations between the EU and partners, which in turn facilitates the linkages of humanitarian aid to the general goals of EU foreign and security policy and, thus, enhances horizontal coherence.

Figure 6: DG ECHO Largest Recipients of Humanitarian Aid on the Ground (EDRIS 2022)

⁴¹ Because each government announces funding for Ukraine in different ways and via multiple channels, there is always scope that some funding may not have been recorded.



In order to improve common evidence for risk analysis, the Inter-Agency Standing Committee Reference Group on Risk, Early Warning and Preparedness and the European Commission collaboratively developed a global, open-source risk assessment tool for humanitarian crises and disasters – INFORM (DRMKC – INFORM, 2022a). INFORM can support decisions about prevention, preparedness and response. According to INFORM, in 2022, Ukraine is ranked 61 in the global list of risk assessment countries.

The INFORM Risk model is based on three dimensions of risk: hazards and exposure, vulnerability and lack of coping capacity. Most important for this study is the hazard and exposure dimension. The hazard and exposure dimension reflects the probability of physical exposure associated with specific hazards. The dimension comprises two categories: natural hazards and human-induced hazards, aggregated with the geometric mean, where both indexes carry equal weight within the dimension (DRMKC – INFORM, 2022b). As shown in Figure 7, the Hazard and Exposure Index in Ukraine has developed rapidly. After the 2014 conflict, we can see a significant increase in the risk assessment. However, after 2018, the risk dropped and proceeds on the same level to the present day. Interestingly, in 2018, Ukraine's definition as 'Forgotten Crisis' increased the humanitarian aid contributions. Nonetheless, when looking in more detail at the two categories of the 2022 Index, it does reflect the current state in the country. Looking at human induced hazards projected conflict risk scores as far as 9.9 followed by current highly violent conflict intensity of 7.



Figure 7: Hazard and Exposure Index Ukraine, 2014-2022 (INFORM 2022)

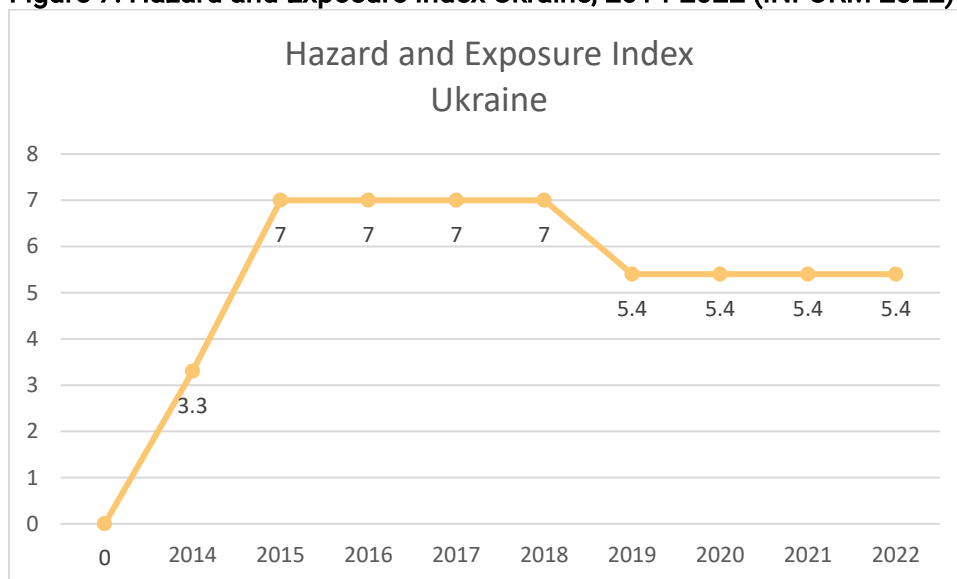
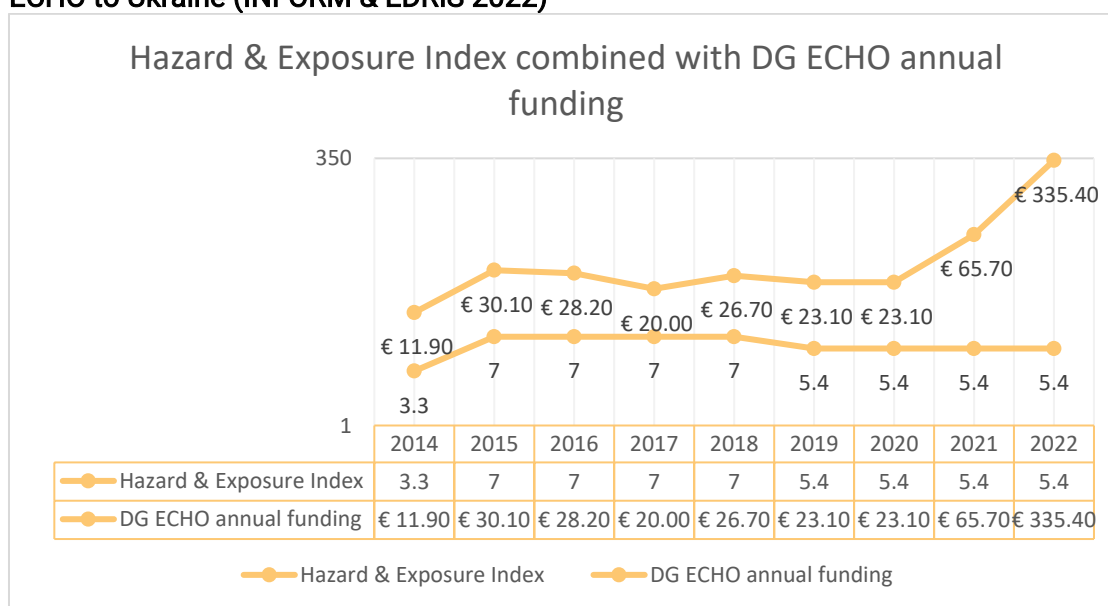


Figure 8 compares the Hazard and Exposure Index yearly rate for Ukraine and DG ECHO’s annual humanitarian aid provision. The data suggests that between 2014 and 2020 there is a general similarity in risk assessment and humanitarian aid distribution. However, as the Russian troops started to build up on the Ukrainian borders in 2021 and invaded in 2022, the EU’s humanitarian aid sharply grew, while the risk index stood stagnant. Further research is needed to investigate the potential relationship between both variables, but cautiously it can be assumed that humanitarian aid funds provision was affected by common external action interests – specifically in this case, the use of a joined up approach to stop the war at the EU’s border and, therefore, the crisis/event/war has potentially facilitated the linkage between humanitarian aid and foreign and security policies.

Figure 8: Hazard and Exposure Index Ukraine & Annual Humanitarian Aid Funding of DG ECHO to Ukraine (INFORM & EDRIS 2022)





6 Conclusions

This Working Paper captures and provides an initial analysis of the various factors that may condition issue linkage in EU external action. As such, the contribution reveals important dynamics that shape policymaking and serves as a platform for future research and policy recommendations. More specifically, the paper explored the extent to which internal and external factors facilitate or obstruct linkages among external action plus policies and how these linkages contribute to EU external action. The paper developed an analytical framework – based on the concept of actorhood – that identified those factors that may plausibly matter for external action. The internal factors were derived from the components of ‘presence’ and ‘capabilities’, while the external factors were derived from the component of ‘opportunity’, specifically changes in the international environment.

The analytical framework guided the exploratory analysis of three external action plus policy areas: trade, development and humanitarian aid. To simplify the analysis, the paper treated each of the three policy areas as separate cases, while looking for commonalities in the factors that matter for linkages with other external action plus policy areas. The first policy (trade), an area of exclusive legal competence, was explored in greater detail to establish a baseline from which to add comparative insights from the other two policy areas of shared legal competence. The treatment of each policy area was supported by more in depth illustrative examples of Ukraine (trade and humanitarian aid) and the ACP/Sahel region (development policy).

The results of the empirical work show considerable variation across the three policy areas and the relevant factors. Table 5 summarises the internal and external factors that matter for linkages in each policy area. Some of the factors may be more obstructing than facilitating, but they are not categorised as such in this table because the analysis in this Working Paper is most interested in, as a first step, which factors *matter* for linkages.

Table 5: External and Internal Factors

	Trade Policy	Development Policy	Humanitarian Aid
External Factors (Opportunity)	<ul style="list-style-type: none"> • Compatibility with multilateral arrangements • Geopolitical turn and competition 	<ul style="list-style-type: none"> • International standards (SDGs and MDGs) • Donor competition • Security concerns (ACP and Sahel) 	<ul style="list-style-type: none"> • International humanitarian aid principles • Events/Crises (man-made or natural disasters) • Donor competition
Internal Factors (Presence)	<ul style="list-style-type: none"> • Large, lucrative and open single market attracts others • Internal rules 	<ul style="list-style-type: none"> • Aid image/budget • Historical/colonial relationships • Internal rules (e.g., PCD, NCD) 	<ul style="list-style-type: none"> • Aid image/budget • Historical/colonial relationships • Internal rules (e.g., CHA) and potential horizontal incoherence
Internal Factors (Capabilities)	<ul style="list-style-type: none"> • Legal basis (fragmentation) and legal competence (exclusive) 	<ul style="list-style-type: none"> • Legal basis (fragmentation) and legal competence (shared/parallel) • Policy instruments 	<ul style="list-style-type: none"> • Legal basis (fragmentation) and legal competence (shared/parallel) • Policy instruments



	<ul style="list-style-type: none"> • Policy instruments • Various actors and potential for politicisation • EU and MS preferences (potential vertical incoherence) 	<ul style="list-style-type: none"> • EU and MS preferences (potential vertical incoherence) 	<ul style="list-style-type: none"> • EU and MS preferences (potential vertical incoherence) • Formal relations with ECHO Partners
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The array of results in the table do allow some general comments regarding which factors matter for linkages. External factors that derive from ‘opportunity’ – such as international competition, Russian aggression or global standards – seem to affect (often simultaneously) the EU Institutions and Member States. These external factors can help to establish EU and international agendas and change ideas about the necessity of establishing linkages among external action plus policies. However, the precise effect of such external factors on Member States is not always equal, and the variable impact of external factors is often conditioned by internal factors – e.g., domestic politics, geographical position, historical colonial relationships – that shape the preferences and positions of individual Member States.

While it is not possible to say whether external or internal factors matter most across all three policy areas, internal factors do seem to become crucial, at least in operational terms, for shaping and implementing linkages. This is particularly true of capabilities such as vertical coherence, because EU Member States are firmly entrenched in policymaking calculations. The challenges associated with vertical coherence vary for many reasons – including material, institutional, historical/colonial – across the three policy areas, and while vertical coherence matters for all policies, it seems relatively more important for policy areas characterised by shared legal competence than those characterised by exclusive legal competence.

Variation in legal competence can obstruct linkages because different policy areas have – depending on type of legal competence – different actors, institutions and rules for policymaking. For trade, exclusive competence tends to mean greater vertical coherence, but there is still role for Member States and other actors (such as the European Parliament) in facilitating or obstructing issue linkages. For development policy and humanitarian aid, the shared legal competence of these policy areas means there is greater potential for vertical incoherence. Therefore, coordination becomes crucial in these two policy areas.

When policy areas with different legal competences are linked, the challenges of horizontal coherence tend to increase. For example, in all three policy areas, the prospect of including political conditionality in agreements and relationships with third countries demonstrates the potential for complications. However, compared to the challenges of vertical coherence and notwithstanding legal complications, horizontal coherence seems less problematic in trade and development policy than in humanitarian aid policy. Horizontal coherence can be especially problematic in humanitarian aid when humanitarians may not want to see a ‘more joined up’ EU if this would mean that non-humanitarian objectives begin to guide humanitarian aid policy. In this light, the challenge of horizontal coherence may be seen as a particularly important factor obstructing linkages between humanitarian aid and other policy areas because – in accordance with the principles of international humanitarian law: neutrality, humanity, independence and impartiality – it is supposed to be kept separate and not subjected to political conditions. That said, because of the frequent and close connection



between the origins and consequences of humanitarian crises and the Lisbon Treaty's emphasis on enhanced coherence, EU humanitarian aid policy may still become directly linked to other policy areas.



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